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THE

REPORTS OF COMMITTEES

OF THE

SENATE OF THE UNITED STATES,

FOR THE

THIRD SESSION OF THE THIRTY-SEVENTH CONGRESS.

IN FOUR VOLUMES.

Volume 1	No. 70 to No. 107.
Volume 2	Part 1, No. 108.
Volume 3	Part 2, No. 108.
Volume 4	Part 3, No. 108.

WASHINGTON:
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37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 70.

IN THE SENATE OF THE UNITED STATES.

DECEMBER 18, 1862.—Ordered to be printed.

Mr. LANE, of Indiana, made the following

REPORT.

[To accompany bill S. 427.]

The Committee on Military Affairs and the Militia, to whom was referred the memorial of Charles Anderson, having had the same under consideration, report:

That John James, of Texas, had a claim against the United States for the rent of Camp Hudson, in Texas, prior to the 1st of July, 1859, which was allowed by the quartermaster general, who asked for its payment in a special estimate made to the Secretary of War on March 9, 1860. The item was also inserted in the army appropriation bill in the House of Representatives in 1862, but it was struck out in the Senate because of the action of the State of Texas towards disunion. It was also embraced in the estimate of appropriations for the year ending June 30, 1862.

Charles Anderson, in September, 1860, was a loyal citizen of the United States, residing in Texas, which State he was compelled to leave by the "alien enemy act" of the Confederate States; and in doing so he exchanged his property, which he could not take away with him, with John James for the latter's claim alluded to above, which is regularly assigned to the said Anderson.

The committee, satisfied of the justice of the claim and of the regularity of its transfer, report a bill for the relief of the memorialist, and recommend that it do pass.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 71.

IN THE SENATE OF THE UNITED STATES.

DECEMBER 23, 1862.—Ordered to be printed.

Mr. WADE submitted the following

REPORT.

The joint committee on the conduct of the war beg leave respectfully to report, in part, as follows:

On the 18th of December, 1862, the Senate of the United States adopted the following resolution, which was referred to the committee on the conduct of the war:

"*Resolved*, That the committee on the conduct of the war be, and they are hereby, directed to inquire into the facts relating to the recent battle at Fredericksburg, Virginia, and particularly as to what officer or officers are responsible for the assault which was made upon the enemy's works; and also the delay which occurred in preparing to meet the enemy, and to report the facts to the Senate."

In pursuance of the instructions contained in this resolution, your committee have the honor to report that they proceeded immediately to the headquarters of the army of the Potomac, and took the depositions of Major Generals Burnside, Sumner, Franklin, and Hooker, and Brigadier Generals Woodbury and Haupt.

On their return to Washington they took the depositions of Major General Halleck and Brigadier General Meigs.

All the facts relating to the movements of the army under General Burnside, the forwarding of pontoons and supplies, and the recent battle at Fredericksburg, are so fully and clearly stated in the depositions herewith submitted, that the committee report the testimony without comment.

DECEMBER 19, 1862.

Major General Ambrose E. Burnside sworn and examined.

By the CHAIRMAN.

Question. You have seen the resolution of the Senate under which this committee is now acting. Will you now go on and in your own way, without questioning, give such an account of the matters embraced in that resolution as you may consider necessary and proper?

We do not want to go back to the time when you came into command.

Answer. In order that the whole matter may be entirely understood, it may be well to go back a little.

Question. Very well. Make your statement in your own way.

Answer. When, after the battle of Antietam. General McClellan decided to cross the Potomac, I said to him that, in my opinion, he would never be able to take this army on that route beyond the Rappahannock, unless he succeeded in fighting the enemy at some place on this side; that if he proposed to go to Richmond by land, he would have to go by way of Fredericksburg; and in that he partially agreed with me. After we had started we had another conversation on that subject, and several other officers were present. On the 6th of November, after this conversation, General McClellan gave an order to Captain Duane, his chief engineer, to have all the pontoon bridges at Berlin and in that neighborhood, that could be spared, taken up and sent down to Washington, with a view of getting them down to this line, in case he decided to go by way of Fredericksburg. The letter conveying that order was written on the 6th of November, but, as I understand, was not received until the 12th of November.

On the 7th or 8th of November I received an order from the President of the United States directing me to take command of the army of the Potomac, and also a copy of the order relieving General McClellan from that command. This order was conveyed to me by General Buckingham, who was attached to the War Department. After getting over my surprise, the shock, &c., I told General Buckingham that it was a matter that required very serious thought; that I did not want the command; that it had been offered to me twice before, and I did not feel that I could take it. I consulted with two of my staff officers in regard to it for, I should think, an hour and a half. They urged upon me that I had no right, as a soldier, to disobey the order, and that I had already expressed to the government my unwillingness to take the command. I told them what my views were with reference to my ability to exercise such a command, which views were those I had always unreservedly expressed, that I was not competent to command such a large army as this. I had said the same over and over again to the President and Secretary of War, and also, that if matters could be satisfactorily arranged with General McClellan, I thought he could command the army of the Potomac better than any other general in it. But they had studied the subject more than I had, and knew more about their objections to General McClellan than I did.

There had been some conversation in regard to the removal of General McClellan when he was bringing away his army from before Richmond. The first of these conversations with the President and Secretary of War occurred at that time. And then after General McClellan had got back to Washington, and before the commencement of the Maryland campaign, there was another conversation of the same kind. And on both of those occasions I expressed to the President the opinion that I did not think there was any one who

ıuld do as much with that army as General McClellan could, if mat-
rs could be so arranged as to remove their objections to him.

After I had consulted with my staff officers, I went to see General
cClellan himself, and he agreed with them, that this was an order
hich I, as a soldier, had to obey. He said that he could not retain
ıe command, for he, as a soldier, would have to obey the order di-
ecting him to give up that command.

I then assumed the command, in the midst of a violent snow storm,
ith the army in a position that I knew but little of. I had previously
ommanded but one corps, upon the extreme right, and I had been upon
ıe extreme right and in the advance since that campaign had begun.
probably knew less than any other corps commander of the positions
nd relative strength of the several corps of the army. General
IcClellan remained some two or three days to arrange his affairs,
nd came with me as far as Warrenton, and then left, having given
ıe all the information he could in reference to the army.

General Halleck came down to see me on the 11th of November.
)n the 9th I made out a plan of operations, in accordance with the
rder of General Halleck, which directed me not only to take com-
ıand of the army, but also to state what I proposed to do with it.
'hat plan I wrote out on the morning of the 9th of November, and
ent it by special messenger to Washington. I can furnish the com-
ittee a copy of that plan if they desire it. I do not have it here
ıow.

Question. State the substance of it, if you please; that may do as
vell.

Answer. I stated, in substance, that I thought it advisable to con-
entrate the army in the neighborhood of Warrenton; to make a small
ıovement across the Rappahannock, as a feint, with a view to divert
he attention of the enemy and lead them to believe that we were
oing to move in the direction of Gordonsville, and then to make a
apid movement of the whole army to Fredericksburg or this side of
he Rappahannock.

As my reasons for that, I stated that the further we got into the
nterior of Virginia the longer would be our line of communications,
nd the greater would be the difficulty we would have in keeping
hem open, as the enemy had upon our right flank a corps which at
lmost any time could, by a rapid movement, seriously embarrass us.
f we were caught by the elements so far from our base of supplies,
nd at the same time in the enemy's country, where they had means
f getting information that we had not, it might, I thought, prove
isastrous to the army, as we had but one line of railway by which
) supply it.

In moving upon Fredericksburg we would all the time be as near
Vashington as would the enemy; and after arriving at Fredericks-
urg we would be at a point nearer to Richmond than we would be
ven if we should take Gordonsville. On the Gordonsville line the
nemy, in my opinion, would not give us a decisive battle at any
lace this side of Richmond. They would defend Gordonsville until
ıch time as they felt they had given us a check, and then, with so

many lines of railroad open to them, they would move upon Richmond or upon Lynchburg, and, in either case, the difficulty of following them would be very great.

In connexion with this movement, I requested that barges filled with provisions and forage should be floated to Aquia creek, where they could easily be landed; that materials be collected for the reconstruction of the wharves there, and that all the wagons in Washington that could be possibly spared should be filled with hard bread and small commissary stores, and with a large number of beef cattle started down to Fredericksburg, on the road by way of Dumfries; and that this wagon train and herd of cattle should be preceded by a pontoon train large enough to span the Rappahannock twice. I stated that this wagon train could move in perfect safety, because it would be all the time between our army and the Potomac, or, in other words, our army would be all the time between the enemy and that train. But at the same time I said that if a cavalry escort could not be furnished from Washington, I would send some of my cavalry to guard the train.

On the morning of the 14th of November, feeling uneasy with reference to the pontoons, as I had not heard of their starting, I directed my chief engineer to telegraph again in reference to them.

Question. To whom did he telegraph?

Answer. He telegraphed to Gen. Woodbury or to Major Spalding. It subsequently appeared that that was the first they ever had heard of my wish to have the pontoon train started down for Fredericksburg, although the authorities in Washington had had my plan sent to them on the 9th of November, and it had also been discussed by General Halleck and General Meigs at my headquarters at Warrenton, on the night of the 11th or 12th of November; and, after discussing it fully there, they sat down and sent telegrams to Washington, which, as I supposed, fully covered the case, and would secure the starting of the pontoons at once. I supposed, of course, that those portions of the plan which required to be attended to in Washington would be carried out there at once. I could have sent officers of my own there to attend to those matters, and perhaps I made a mistake in not doing so, as General Halleck afterwards told me that I ought not to have trusted to them in Washington for the details. In reply to the telegram I had ordered to be sent, General Woodbury telegraphed back that the pontoons would start on Sunday morning, possibly, and certainly on Monday morning, which would have been on the 16th or 17th of November, and would have been in time. They did not, however, start until the 19th, and on that day it commenced raining, which delayed them so much, and the roads became so bad, that when they got to Dumfries they floated the pontoons off the wagons; sent to Washington for a steamer, and carried them down to Aquia creek by water, sending the wagons around by land. The pontoons did not get here until the 22d or the 23d of November.

On the 16th of November I started the column down the road to Fredericksburg, not knowing anything about the delay in the starting of the pontoons, because the telegram announcing the delay did

not reach Warrenton Junction until I had left to come down here with the troops, and that telegram did not reach me until I arrived here, on the morning of the 19th, when it was handed to me by an orderly, who had brought it down from Warrenton Junction.

After reaching here, I saw at once that there was no chance for crossing the Rappahannock with the army at that time. It commenced raining and the river began to rise, not to any great extent, but I did not know how much it might rise. There were no means of crossing except by going up to the fords, and it would be impossible to do that, because of the inability to supply the troops after they should cross.

General Sumner, with his command, arrived here in advance. He sent to me, asking if he should cross the river. He was very much tempted to take his own corps across to Fredericksburg by a ford near Falmouth, as there was no enemy there except a very small force. I did not think it advisable that he should cross at that time.

The plan I had in contemplation was, if the stores and those bridges had come here as I had expected, to throw Sumner's whole corps across the Rappahannock, fill the wagons with as many small stores as we could, and having beef cattle along for meats, then to make a rapid movement down in the direction of Richmond, and try to meet the enemy and fight a battle before Jackson could make a junction there. We knew that Jackson was in the valley, and felt that there was force enough on the Upper Rappahannock to take care of him. We felt certain that as soon as the enemy knew of our coming down here the force under Jackson would be recalled, and we wanted to meet this force and beat it before Jackson could make a junction with them, or before Jackson could come down on our flank and perhaps cripple us. I had recommended that more supplies should be sent to the mouth of the Rappahannock, with a view to establishing a depot at Port Royal after we had advanced to Fredericksburg.

After the first delay in starting the pontoons, I think they were sent as quickly as they could have been, and the supplies and quartermaster's stores have been always in as great abundance as we could have expected; for after the 19th of November the weather and the roads were particularly bad. Horses and mules, &c., were sent down to us, so that our cavalry and teams were in very good condition.

After it was ascertained that there must be a delay, and that the enemy had concentrated in such force as to make it very difficult to cross except by a number of bridges, we commenced bringing up from Aquia creek all the pontoons we could. After enough of them had been brought up to build the bridges, I called several councils of war to decide about crossing the Rappahannock. It was first decided to cross down at Skinker's Neck, about twelve miles below here. But our demonstration in that direction concentrated the enemy at that place, and I finally gave up the idea of crossing there. I still continued operations at Skinker's Neck by way of demonstration, simply for the purpose of drawing down there as large a force of the

enemy as possible. I then decided to cross here, because, in the first place, I felt satisfied that they did not expect us to cross here, but down below ; in the next place, I felt satisfied that this was the place to fight the most decisive battle, because if we could divide their forces by piercing their lines at one or two points, separating their left from their right, then a vigorous attack with the whole army would succeed in breaking their army in pieces.

The enemy had cut a road along in the rear of the line of heights where we made our attack, by means of which they connected the two wings of their army, and avoided a long detour around through a bad country. I obtained from a colored man from the other side of the town, information in regard to this new road, which proved to be correct. I wanted to obtain possession of that new road, and that was my reason for making an attack on the extreme left. I did not intend to make the attack on the right until that position had been taken, which I supposed would stagger the enemy, cutting their line in two; and then I proposed to make a direct attack on their front, and drive them out of their works.

I succeeded in building six bridges, and taking the whole army across. The two attacks were made, and we were repulsed; still holding a portion of the ground we had fought upon, but not our extreme advance.

That night I went all over the field on our right; in fact, I was with the officers and men until nearly daylight. I found the feeling to be rather against an attack the next morning; in fact, it was decidedly against it.

I returned to my headquarters, and, after conversation with General Sumner, told him that I wanted him to order the ninth army corps—which was the corps I originally commanded—to form the next morning a column of attack by regiments. It consisted of some eighteen old regiments, and some new ones, and I desired the column to make a direct attack upon the enemy's works. I thought that these regiments, by coming quickly up after each other, would be able to carry the stone wall and the batteries in front, forcing the enemy into their next line, and by going in with them they would not be able to fire upon us to any great extent. I left General Sumner with that understanding, and directed him to give the order. The order was given, and the column of attack was formed.

The next morning, just before the column was to have started, General Sumner came to me and said: "General, I hope you will desist from this attack; I do not know of any general officer who approves of it, and I think it will prove disastrous to the army." Advice of that kind from General Sumner, who has always been in favor of an advance whenever it was possible, caused me to hesitate. I kept the column of attack formed, and sent over for the division and corps commanders, and consulted with them. They unanimously voted against the attack. I then went over to see the other officers of the command on the other side, and found that the same impression prevailed among them. I then sent for General Franklin, who was on the left, and he was of exactly the same opinion. This caused

me to decide that I ought not to make the attack I had contemplated. And besides, inasmuch as the President of the United States had told me not to be in haste in making this attack; that he would give me all the support that he could, but he did not want the army of the Potomac destroyed, I felt that I could not take the responsibility of ordering the attack, notwithstanding my own belief at the time that the works of the enemy could be carried.

In the afternoon of that day I again saw the officers, and told them that I had decided to withdraw to this side of the river all our forces except enough to hold the town and the bridge-heads, but should keep the bridges there for further operations in case we wanted to cross again. I accordingly ordered the withdrawal, leaving General Hooker to conduct the withdrawal of our forces from the town, and General Franklin to conduct it on our left.

During that evening I received a note from General Hooker; and about 10 o'clock at night General Butterfield came over with a message from General Hooker, stating that he (General Hooker) felt it his duty to represent to me the condition in which I was leaving the town and the troops in it. After a long conversation on the subject with General Butterfield, I felt that the troops I proposed to leave behind would not be able to hold the town. I then partially decided to withdraw the whole command, which was a still more perilous operation. It commenced raining, which, to some extent, was an assistance to us, but a very bad thing in the moving of troops. I thought over the matter for about two hours; and about 1 o'clock I sent over an order to withdraw the whole force, which was successfully accomplished.

There had been a great deal of division of opinion among the corps commanders as to the place of crossing. But, after all the discussion upon the subject, the decision to cross over here I understood was well received by all of them.

While on his way here General Hooker, on the morning of the 20th of November, wrote me a note, which I received on the 21st, in which he suggested that he should cross his force over the Rappahannock at the ford nearest to him, (Richards's ford,) and move rapidly down to Saxton's Station and take position there. He stated that he had three days' provisions, and thought he could beat any force of the enemy in front of him. I replied to him that I was always very glad to take the advice of my general officers, and should always be loth to make a move without consulting them; but I could not approve of the move he had suggested, because, in the first place. he would have to march some thirty-six miles to get to Saxton's Station; it was then raining, and he would have to ford two rivers, which might rise and cut him off from the main body of the command, and as I had no means of crossing at Fredericksburg I would be prevented from sending him supplies and assistance; and, although he might reach Saxton's Station, and beat any force of the enemy he might meet at that time, yet it would be a very hazardous movement to throw a column like that beyond the reach of its proper support. This reply I sent to General Hooker by an aide-de-camp. He thanked me; said he had

only made it as a suggestion, and the weather, as it was then raining, of course rendered it impossible to make the movement he had suggested.

Question. What causes do you assign for the failure of your attack here?

Answer. It was found to be impossible to get the men up to the works. The enemy's fire was too hot for them. The whole command fought most gallantly. The enemy themselves say they never saw our men fight so hard as on that day.

Question. Were the enemy's works very strong?

Answer. Their works are not strong works, but they occupy very strong positions. It is possible that the points of attack were wrongly ordered; if such is the case, I can only say that I did to the best of my ability. It is also possible that we would have done better to have crossed at Skinker's Neck. But, for what I supposed to be good reasons, I felt we had better cross here; that we would have a more decisive engagement here, and that if we succeeded in defeating the enemy here, we could break up the whole of their army here, which I think is now the most desirable thing, not even second to the taking of Richmond; for if this army was broken up, though they might defend Richmond for a while, they could not make a very protracted defence there.

By Mr. GOOCH:

Question. Do I understand you to say that it was your understanding that General Halleck and General Meigs, while at your headquarters in Warrenton and before you commenced the movement of your army, sent orders to Washington for the pontoons to be immediately forwarded to Falmouth?

Answer. That was my understanding, certainly.

Question. In your judgment, could the pontoons have been forwarded in time for you to have crossed the Rappahannock when you expected, if all possible efforts had been made by those who were charged with that duty?

Answer. Yes, sir; if they had received their orders in time.

Question. Did the non-arrival of the pontoons, at the time you expected, prevent your crossing when you expected to cross, and interfere with the success of your plan?

Answer. Yes, sir.

Question. Since you have assumed the command of the army of the Potomac, have all its movements been made by you according to your own judgment, or have some of them been directed by the general-in-chief, the Secretary of War, or the President of the United States?

Answer. They have all been made in accordance with my own judgment. In some cases I have submitted my views, which have been approved.

Question. Who did you understand was responsible for the forwarding of the pontoons to Falmouth?

Answer. I understood that General Halleck was to give the necessary orders, and then the officers who should receive those orders

were the ones responsible for the pontoons coming here. I could have carried out that part of the plan through officers of my own. But having just taken the command of an army with which I was but little acquainted, it was evident that it was as much as I could attend to, with the assistance of all my officers, to change its position from Warrenton to Fredericksburg. And I felt, indeed I expected, that all the parts of the plan which were to be executed in Washington would be attended to by the officers at that place, under the direction of the different departments to which those parts of the plan appertained.

Question. Did you or not understand that you yourself were to be responsible for seeing that those orders were carried out?

Answer. I did not. I never imagined for a moment that I had to carry out anything that required to be done in Washington. General Meigs told me distinctly several days ago, in Washington, that he never saw my plan of operations until I showed it to him on that day.

Question. Do I understand you to say, in your statement, that you expected General Franklin to carry the point at the extreme left of the ridge in rear of the town, and thereby enable our troops to storm and carry their fortifications?

Answer. I did expect him to carry that point, which being done would have placed our forces in rear of their extreme left, and which, I thought at the time, would shake their forces on the ridge to such an extent that the position in front could be easily stormed and carried.

Question. To what do you attribute his failure to accomplish that?

Answer. To the great strength of the position and the accumulation of the enemy's forces there. I expected the bridges would be built in two or three hours after they were unloaded, which was about daylight. Instead of that, those on the right were not built until three o'clock in the afternoon, and I had only the means of getting across one division over the bridges on the right. General Franklin's bridges were built about noon, and were held by our troops on the opposite bank. This gave the enemy time to accumulate their forces, which were stretched along the river from Port Royal up to the battle-field, before I was able to order the attack. Whilst the men here were unloading the bridges and putting them into the water, the enemy's sharpshooters opened a very heavy fire from the town, and our batteries opened upon the town with the view of silencing them. In this manner the bridges were built about two-thirds of their length, at which time the bridge-builders were driven off, and had to take shelter under the bank. Repeated efforts were made to get these bridge-builders out to the end of the bridges with the necessary material, but they all failed. It was then reported to me that it was impossible to build the bridges under that fire, and that the sharpshooters could not be driven out of town by the artillery. We had one hundred and forty-three guns in position, the larger portion of which were playing upon the town. I said to the officers who had reported to me that it was impossible to build the bridges, that

they must be built, and that some plan must be devised for getting these sharpshooters out of the way, so that our men could get to work. Upon consulting with General Hunt, chief of artillery, and General Woodbury, of the engineers, it was agreed to fill the boats with our own men, run them quickly across under fire, throw them on the bank, and let them go up into the streets and houses and drive the sharpshooters away. This plan was successfully carried out, and in fifteen minutes after the first detachment of troops had reached the opposite bank, our men began building the bridges, and in a half an hour more they were completed.

Question. What was the conduct of the officers and men during the attack?

Answer. With the exception of a single regiment, it was excellent.

Question. Will you state, as nearly as you can, the whole number of our troops that were engaged?

Answer. We had about one hundred thousand men on the other side of the river.

Question. What part of that number were actually engaged in battle?

Answer. Every single man of them was under artillery fire, and about half of them were at different times formed in columns of attack. Every man was put in column of attack that could be got in.

Question. Have you any knowledge as to the force of the enemy here?

Answer. It is estimated at all the way from one hundred thousand to two hundred thousand. I think myself it was less than one hundred thousand.

Question. What was the extent of the casualties on our side resulting from all the fighting?

Answer. It will not be far from ten thousand men—killed, wounded, and missing.

Question. What is the present condition of our troops here?

Answer. As far as my knowledge and information goes, it is good.

Question. Do you or not consider your troops demoralized, or the efficiency of your army impaired, except so far as it has been from the loss of so many men?

Answer. I do not. I would add here that although at the time I ordered the column of attack to be formed on the morning after the battle I thought the enemy's works would be carried, and adhered to that opinion during that day, I afterwards became convinced that that could not have been done, owing to the great strength of the enemy, the time given them for re-enforcing, and the belief also of our officers that it could not be done. I accordingly telegraphed to the President of the United States that I withdrew our army because I felt that the enemy's position could not be carried.

DECEMBER 19, 1862.

Major General E. V. Sumner sworn and examined.

By the CHAIRMAN:

Question. What is your position in the army of the Potomac?

Answer. I command the right grand division of that army, consisting of the second and ninth corps d'armée.

Question. Of how many men does your grand division consist?

Answer. Before the late action it consisted of about ——— men. It is being increased by new troops as they come up. It was originally intended to be something over ——— men.

Question. Would it have been better, in your judgment, to have crossed the river and engaged the enemy earlier than you did? And if so, why was it not done?

Answer. When General Burnside was ordered to take command of this army he told me what he proposed to do; that is, to march on Fredericksburg instead of on Culpeper. I thought that was the wisest plan for these reasons: If we had marched on Culpeper, according to the former plan, even if we had been successful we would have had to fall back for supplies, whereas by coming on this line, on reaching Fredericksburg I confidently expected to take the heights in rear of it before the army of the enemy could come from Culpeper, and I thought the chance of reaching Richmond was much better than by going the other way. Because if the pontoons had been here on my arrival, and in time for me to have crossed and occupied the heights in rear of Fredericksburg before the enemy could reach them, we should have kept pressing the enemy off from this line of railroad, keeping it in our own possession; and if we could not have preceded them into Richmond, we could have kept so close to them that they would have had no time to build fortifications. These were the reasons why I thought that it was a very judicious measure on the part of General Burnside to change the base of operations instead of advancing on Culpeper, which I believe General McClellan intended to have done.

On my arrival here, on the 17th of November, a battery of artillery on the other side of the river opened upon us the moment a portion of my troops appeared on the ridge back of Falmouth. I immediately put a battery into position, and, I think, in not to exceed fifteen minutes, they drove every man on the other side from the guns, and they ran off and left four guns on the field. My orders were to advance and hold Falmouth, not to cross. But the temptation was so strong to go over and take those guns the enemy had left that at one time I actually gave the order to cross the ford at all events and seize the guns and occupy the city. But on reflection I concluded I was rather too old a soldier to disobey a direct order; and there was another reason too: I had had a little too much experience on the peninsula of the consequence of getting astride of a river to risk it here. For these two reasons I revoked my order that night.

That same night I sent a note to General Burnside, who was some eight or ten miles distant, asking him if I should take Fredericksburg in the morning should I be able to find a practicable ford, which, by the way, I knew when I wrote the note that I could find. The general replied, through his chief of staff, that he did not think it advisable to occupy Fredericksburg until his communications were established, and, on reflection, I myself thought that he was right; that it was prudent and proper to have the bridges ready before we occupied Fredericksburg. I think I could have taken that city and the heights on the other side of it any time within three days after my arrival here if the pontoons had been here, for I do not think there was much force of the enemy here up to that time.

With regard to the delay in making the attack, I do not think that the movement could have been made sooner than it was made. It will be recollected that no preparations had been made at Aquia creek. When we came across here there were no means at Aquia creek for landing anything there. All those things had to be prepared afterwards. The railroad had to be completed before we could get up supplies for this great army. It takes an enormous amount of transportation to supply an army of 100,000 men, and I do not think the general could have made his preparations, done all that it was necessary to do, sooner than he did after the arrival here of the pontoons.

The first proposition to cross the river was to cross at Skinker's Neck. It seemed to me that you could scarcely cross a river in the face of an enemy of equal or superior force, except by surprise. Therefore, after the preparations were made to cross at Skinker's Neck, after a large number of wagons had been sent by the general down there in order to deceive the enemy, I was decidedly in favor of throwing the bridges over here and carrying the town as we did carry it, which was by surprise, as the enemy were marching their troops down below expecting that we were going to cross down there.

I was in favor of crossing the Rappahannock, because I knew that neither our government nor our people would be satisfied to have our army retire from this position or go into winter quarters, until we knew the force that was on the other side of the river; and the only way in which we could learn that was by going over there and feeling of them. I think it was necessary to have made the attack on that day; or Saturday; and it was necessary, therefore, to attack them in their strong works, and the repulse was what frequently happens in campaigns: the works were stronger than we believed them to be. I knew it was a very hazardous movement, but I did believe we could carry the enemy's works. The attack failed owing to the enemy's fortifications being much more formidable than we had supposed them to be.

Question. Will you describe those fortifications?

Answer. I cannot describe them any further than this: They were tier upon tier for two or three tiers. If we had carried the first tier, we could not have held it, because their next tier was a much more formidable row of fortifications, only a mile distant, and on a higher position still. And no doubt large masses of infantry were

between the two crests: and having got on the top of one crest, we would have been compelled to contend with large masses of fresh troops over whom their own batteries could fire. I was ordered by the general commanding to select the corps to make the attack. I selected the corps of General French and General Hancock, two of the most gallant officers in our army, and two corps that had neither of them ever turned their backs to the enemy. They made repeated assaults, but were driven back in spite of all the efforts that could be made by their officers. The principal obstacle that they found was a long stone wall, which was the outwork of the enemy. That wall was some 400 or 500 yards in length, as represented to me, and had been raised and strengthened. The enemy had artillery that enfiladed that wall on both sides; they held their fire until our troops arrived at a certain point, when they rose up and poured a perfect volley over this wall, their artillery enfilading our column at the same time. No troops could stand such a fire as that. I do not think it a reproach to those two divisions that they did not carry that position; they did all that men could do. I had General Howard's division in readiness to support those two, and one strong division of Wilcox's corps—the ninth corps, General Burnside's old corps—detached to keep open communication with General Franklin's right. That division was not under fire during the day. Some of the other divisions of the ninth corps were more or less engaged.

General Hooker had a part of his grand division in the town, and one of his corps, under General Humphries, was engaged. They made a gallant attack, but were driven back. The fight was continued on the left, but I was so remote from that that I cannot give any description of it at all.

The general commanding directed me to establish my headquarters at the Lacy House, so that I could superintend the operations of both my corps. I was there, while the general commanding was at the Phillips House during the action. During an action there is a constant running for orders, for re-enforcements, artillery, troops at different points, ammunition, &c.

I consider the crossing of the river, under the circumstances, a very creditable thing; and I also consider the retreat, under the circumstances, as very creditable. There was not a gun or anything else lost. The entire army returned without an accident.

I would like to add here, because it was almost the only occasion where the general commanding and myself have differed in regard to any point, that I did not wish to relinquish Fredericksburg. I thought we could have held it with a single division by posting our batteries right. It would not have been giving up an expedition, but simply a change of tactics. That is the way in which I viewed it; that we would just be drawing back a little in order to try it again. I was therefore strongly in favor of holding Fredericksburg; others were not. Perhaps I was the only general officer of rank who was of that opinion. I thought it would present a better and a different appearance if we continued to hold the town. We could have commanded it at any time with our artillery, and we can do so now.

I do not think there was any danger or difficulty in holding it. But I may have been mistaken.

Question. Do you know any reason why the pontoon bridges did not arrive earlier?

Answer. I do not.

Question. You know nothing upon that subject?

Answer. I do not. I expected, as a matter of course, to find them here when I came, or very soon afterwards.

Question. If you had found them here, as you expected, what would, in your opinion, have been the result?

Answer. I should have taken the crest in rear of the town on that night or the following day. Not considering Fredericksburg as being of any consequence, except as being on the road to Richmond. I should have passed through the town and taken possession of the crest.

Question. Are there any fords above here which might have been crossed?

Answer. There are several fords on this river, and in the summer time two or three of them would be practicable, perhaps.

Question. I mean were there any practicable fords at the time you did cross; and if so, where were they?

Answer. There is a rough cavalry ford down by the upper bridge at Falmouth, where horsemen sometimes go over. But that ford depends upon the tide, which rises above this town. The tide was in when I arrived here, which was in the afternoon. The tide was then receding, and a citizen told me that it would not be possible to get anything over the ford until after dark. That ford is represented to me as being a deep ford, with deep holes in it. Men can skip from rock to rock—a few men at the time. But there are occasionally deep holes, from six to eight feet deep. Such a ford would never be considered practicable for marching troops over.

Question. What reasons do you assign for not crossing either above or below where the enemy have fortified?

Answer. The reason was this: we did not attempt to turn their left flank, because there is there a slack-water navigation taken out of the river some two miles above here, and brought into the basin at the upper end of the town. That runs along at a considerable distance from the Rappahannock. In making a movement to turn the enemy's left flank, if a force had been sent up between the river and the canal, the canal would have to be crossed, and to do so it would be necessary to bridge it. The only way to have made that movement would have been to have gone entirely on the left of that canal, and that would have exposed the troops all the way up to a fire upon their flank from the batteries, which had been erected all along up there, without ours being able to return the fire at all.

Question. In regard to the condition of the army since the battle, is it demoralized any more than by the loss of that number of men?

Answer. I think it is.

Question. To what extent, and in what way?

Answer. It is difficult to describe it in any other way than by saying there is a great deal too much croaking; there is not sufficient confidence.

Question. What number of men, or about what number, do you suppose were engaged on our side on the day of battle?

The WITNESS. Under fire, do you mean?

The CHAIRMAN. Yes, sir.

Answer. Do you mean to include the reserves?

Question. I mean to include all who were really under fire.

Answer. I should think there were hardly 50,000 men under fire. When I say that 50,000 men were all that were under fire, I would say that I do not consider the reserves beyond musketry fire as being exactly troops under fire.

Question. What was the whole number of our forces over the river?

Answer. I should suppose there must have been about ——— men; and the difference between that number and the number actually under fire was held in reserve.

Question. From the best light that you have, what do you estimate to have been the force of the enemy?

Answer. I thought that our forces were about equal.

Question. At what do you estimate our loss to be, in killed, wounded, and missing?

Answer. I think 10,000 will cover our whole loss. It has been stated as over that number; but those things are always exaggerated.

Question. At what do you estimate the loss of the enemy?

Answer. A great deal less than our own, from the fact that they were covered by their works.

Question. In your judgment, as a military man, were there any faults or mistakes in bringing on or conducting that attack?

Answer. I think not. The general commanding conferred a great deal with me about it. If he made a mistake, I made one too; for I certainly approved the steps, one by one, that he took. As regards the responsibility for ordering the attack, I do not know what orders the general commanding may have received from Washington. He, however, told me that he had received a telegram from the President that he did not wish the army sacrificed. I think myself I would have made but a single attack. Instead of making two attacks, I would have made but one, massing everything upon that. But that is a point upon which military men may differ.

By Mr. GOOCH:

Question. Did the commanders of the grand divisions concur, all of them, so far as you know, in the movement that was made?

Answer. I do not know; but I presume they did.

By the CHAIRMAN:

Question. What is your opinion of the general condition and efficiency of the army since the battle?

Answer. I consider that within a few days, with sufficient exertion, this army will be in excellent order again.

DECEMBER 19, 1862.

Major General William B. Franklin sworn and examined.

By the CHAIRMAN:

Question. You have seen the resolution of the Senate under which this committee are now acting. Will you go on and state. in your own way, what you deem it necessary to state?

Answer. I do not recollect the precise time, but it was just before we moved from Warrenton, General Halleck and General Meigs came down there and had a conference with General Burnside. The result of that conference, as I understood it, was that General Burnside was to move this army from Warrenton and that vicinity to Fredericksburg, and so across the river here. As an important part of that movement, I understood from General Burnside that when the advance of his army arrived in front of Fredericksburg, a pontoon train, enough to build two bridges, was to meet him there. I know the advance of the army did arrive at Fredericksburg at the proper time, but there was no pontoon train to meet it there, and in consequence of that the army could not cross at the time we expected to cross. We were therefore delayed several days in consequence of the delay in the arrival of the pontoon train.

After arriving here we accumulated provisions for twelve days; then General Burnside called a council, in which it was the unanimous opinion, I think, of all the generals present that if this river could be crossed it ought to be crossed, no matter what might happen afterwards. The point of crossing was not then definitely determined upon; but I thought at the time that we were to cross several miles further down.

Afterwards General Burnside called us together again, and informed us that he had determined to cross at the two points at which we finally did cross. I had no objection to that, but thought they were as good as the point further down. I knew nothing at all, in fact, about the defences on the other side; it was not my business to know anything about them. I think the arrangements for the crossing were all well made. At the same time, I always doubted our power to cross; and I do not believe we could have crossed had the enemy chosen to prevent it. And I know, from what I have since seen and what I before suspected, that they could have prevented our crossing at those two points if they had chosen.

However, as the committee know, the crossing was successfully made under cover of a fog, and, as far as my wing was concerned, we got into position safely, with the loss of a very few men. Still we were in such a position that if the enemy had at any moment opened upon us with the guns they had bearing upon us, I think that in the course of an hour our men would have been so scattered that it would have been impossible to rally them. For some unaccountable reason they did not open their batteries.

On the morning of the 13th instant I made the attack according to the order of General Burnside. I put in all the troops that I thought

it proper and prudent to put in. I fought the whole strength of my command as far as I could, and at the same time keep my connexion with the river open. The reason that we failed was, that we had not troops enough to carry the points where the attack was made under the orders that were given. After we were pressed back, I directed that a position should be held as far in advance as it was possible to hold it, and I brought up all the troops I had in reserve to hold that position. I held that position until I was ordered to recross the river. And from what I knew of our want of success on the right, and the demoralized condition of the troops on the right and centre, as represented to me by their commanders, I confess that I believe the order to recross was a very proper one. We recrossed on the night of the 15th, without the loss of a man, and with no trouble at all at our wing.

By Mr. GOOCH:

Question. Had the pontoons been here at the time of the arrival of the army, what would probably have been the result?

Answer. The probable result would have been that the army—as much of it as General Burnside supposed necessary—would have immediately crossed the river, driving away the enemy here, perhaps 500 or 1,000 men; and they would have occupied those very heights which we have since been obliged to attack; and that crossing would have been permanent and successful.

Question. Do you know on whom rests the responsibility of the delay in the arrival of the pontoons?

Answer. I do not, officially.

Question. What, in your opinion, is the number of your killed, wounded, and missing?

Answer. I think it will amount to about ten thousand altogether.

Question. Have you any knowledge of the loss of the enemy?

Answer. I have not, except what I saw incidentally in a Richmond paper.

Question. Do I understand you to say that you concurred in the movement to cross the river?

Answer. It was not my opinion that we could cross at any of the points indicated.

Question. Will you state whether or not it is your opinion that if the movement of the army from Warrenton had been delayed until the time the pontoons arrived here the army could have then come here, and with those pontoons have made a crossing here and occupied the heights before the enemy could have reached here in sufficient force to have prevented it?

Answer. Yes, sir; that is my opinion.

Question. Then it is your opinion that if it had been ascertained that the pontoons could not possibly be here at the time General Burnside expected them to be here, he should have been notified of the time when they could be here, so that he might make the movements of his army correspond with the time when the pontoons could be here?

Answer. That is my opinion.

Question. What is the condition of the army now as to its efficiency? Is its efficiency impaired other than by the loss of so many men, or is it demoralized by the recent disasters?

Answer. I think it is not demoralized at all—that is, so far as my own wing is concerned, I know it is not.

Question. After the crossing had been made, was it possible, in your opinion, for our troops to have carried the heights, or to have held our position upon the other side so as to have derived any advantage from it?

Answer. It is my opinion that if, instead of making two real attacks, our whole force had been concentrated on our left—that is, our available force—and the real attack had been made there, and merely a feint made upon the right, we might have carried the heights. I think we could have carried them. Whether the army would have achieved a success by that I cannot say. I do not mean to say that the mere carrying of the heights would have secured our success. I do not know what was behind them, or how much of a force the enemy had there. I know that wherever we appeared we found a great many more men than we had. I would like to impress as firmly upon the committee as firmly as it is impressed upon my mind the fact that this whole disaster has resulted from the delay in the arrival of the pontoon bridges. Whoever is responsible for that delay is responsible for all the disasters which have followed. We were utterly astonished when we came down here to find that Sumner had been here for some days, and had not received the pontoon bridges. I think that is the main cause for this disaster.

Question. Do you know what the expectation was as to the pontoons being here on the arrival of the first army corps that should get here? Was it expected that the pontoons would be here?

Answer. Certainly it was expected that they would be here.

Question. What was that corps to have done if the pontoons had been here?

Answer. That corps was to have crossed at once and taken possession of the heights. If the pontoons had been here there would have been very little difficulty in doing that.

DECEMBER 19, 1862.

Brigadier General D. P. Woodbury sworn and examined.

By Mr. GOOCH:

Question. What is your rank and position in the army?

Answer. I am brigadier general, and have charge of the engineer brigade, consisting of the 15th and 50th regiments of New York volunteers.

Question. Had you any connexion with the forwarding of the pontoons to be used in crossing the river from Falmouth to Fredericksburg? If so, state all the knowledge you have on that subject, what orders you received, what you did, and any conversations you had, if any, with General Halleck, Burnside, or any other officer your superior.

Answer. On the morning of November 13 I received the following telegram from General Halleck:

"WARRENTON, *November* 12—7.10 *p. m.*

"Call upon the chief quartermaster, Colonel Rucker, to transport all your pontoons and bridge materials to Aquia creek. Colonel Belger has been ordered to charter and send one hundred barges to Alexandria.

"H. W. HALLECK,
"*General-in-Chief.*

"Brigadier General WOODBURY,
"*Engineer Brigade, 19th and F streets, Washington.*"

At that time there were only twelve serviceable pontoons in Washington, all the others being in bridges at Harper's Ferry and Berlin, about six miles below Harper's Ferry.

I immediately ordered Major Spaulding, 50th New York, detached from my command, and in charge of the bridges above referred to, "to take up all the bridges and return all the pontoon property immediately to the Eastern Branch."

Major Spaulding himself arrived in Washington on the night of the 13th, in pursuance of another order, as will appear below.

On the 14th I received the two following telegrams from General Burnside, through Lieutenant Comstock, chief engineer:

"WARRENTON, VA., *November* 14, 1862.

"On November 6 Captain Spaulding was directed to move bridge material from Berlin to Washington, and mount at once one complete bridge train in Washington. Is that train ready to move, with horses and everything needed supplied? If not, how long before it will be ready?

"C. B. COMSTOCK,
"*Lieutenant of Engineers.*"

"HEADQUARTERS ARMY OF THE POTOMAC,
"*November* 14, 1862.

"In addition to the bridge train which Captain Spaulding has been previously directed to fit out in Washington, General Burnside desires to have one more complete train mounted and horsed as soon as possible, and, with the other, sent with a company, at least, and Captain Spaulding in command, by land, to Fredericksburg, Va. * * * *

"Please advise me how long before they will be ready, and on starting advise me of that.

"C. B. COMSTOCK,
"*Lieutenant of Engineers.*"

To these telegrams I returned the following answer:

"WASHINGTON, *November* 14, 1862.

"I have received your two telegrams to-day.

"Captain Spaulding has arrived, and 36 pontoons have arrived. Forty men are expected in the morning. Captain Spaulding received Captain Duane's order of the 6th on the afternoon of the 12th. One pontoon train can be got ready to start Sunday or Monday morning, (November 16 or 17,) depending somewhat upon the quartermaster's department. General Halleck is not inclined to send another train by land, but will allow it, probably, if General Burnside insists. A second train can be sent by water to Aquia creek, and from thence transported by the teams which carry the first.

"D. P. WOODBURY,
"*Brigadier General.*"

I received no further orders from General Burnside.

To fit out this train Major Spaulding had to draw from the quartermaster's department 270 fresh, untried horses, some of which had never been in harness; to put together 270 harnesses, taken in separate pieces from boxes; to fit these harnesses to the horses; to shoe the horses, and to look up teamsters, who could not be obtained in Washington, but were procured, with difficulty, in Alexandria.

With four companies of men he worked day and night, but was not able to leave Washington before 2 o'clock on the morning of the 19th instant. Finding the roads almost impassable, he sent for a steam-tug and sent all his pontoons by water from the Occoquan. With his empty pontoon wagons he arrived at Belle Plain, 10 miles from Fredericksburg, on the 24th.

With his train, complete, he arrived at the headquarters of the army, 2½ miles from Fredericksburg, on the 25th, one day after a train had come by water.

The order from General Halleck given above, and his verbal orders to me on the 14th, all looked to the transport of bridge material to Aquia creek by water, that place being then in possession of the enemy.

On the 15th I sent down three companies to build some temporary wharves. There were no pontoons to send with them, but some arrived towards night of that day. On the 16th eight companies started with forty-eight pontoons, which arrived at Belle Plain on the afternoon of the 18th, the transport having been aground twenty-four hours. On the 19th, fearing that the land train would not arrive in time, I had thirty pontoon wagons shipped for Belle Plain. These were delayed by rough weather, and did not arrive till the 22d. These wagons were loaded on the night of the 22d, and a pontoon train was taken to headquarters, as already stated, on the morning of the 24th, by means of teams which had come down with the army.

The advance of the army arrived at Falmouth on the 17th.

General Halleck's order to me of the 13th made it apparent that the army was preparing to march to Fredericksburg. As to the time

when the movement would be made I never received any information. Fearing, however, that the movement would be precipitate, I went to General Halleck's office and urged him to delay the movement some five days, in order that the necessary preparations might be made to insure its success. To this he replied that he would do nothing to delay for an instant the advance of the army upon Richmond. I rejoined that my suggestion was not intended to cause delay, but rather to prevent it.

In making this suggestion I had reference, not only to the pontoon train, but to the landings still to be created for the quartermaster and commissary departments. The quartermaster department was very scantily supplied with the means required for these landings—I may say almost totally destitute of means.

With the very short notice given to me there was only one possible way of supplying the army with a pontoon train in time.

Had the emergency been made known to me in any manner I could have disregarded the forms of service—seized teams, teamsters, and wagon-masters for instant service wherever I could find them. Then, with good roads and good weather, they might possibly have been in time. But I had no warrant for such a course, which, after all, could only have been carried out by the authority of the general-in-chief.

I had a conversation with General Meigs on the 15th, in which much was said about the work to be done at Aquia creek—not a word, so far as I can remember, about the land pontoon train.

The department of which General Meigs is chief cannot be justly blamed in this matter. My requisitions for horses and for transports were answered immediately.

DECEMBER 20, 1862.

Major General Joseph Hooker sworn and examined.

By the CHAIRMAN:

Question. What position do you hold in the military service?

Answer. I am a major general of volunteers, and command one of what is called the grand divisions of the army of the Potomac.

Question. You have read the resolution of the Senate under which this committee is now acting. Will you please go on and state, in your own manner, what you consider necessary in order to give us a clear and concise history of the movements of the army of the Potomac since General Burnside assumed the command of it?

Answer. I joined the army at Warrenton about the 10th of November. At that time General Burnside was in command. After I had been there a day or two, during which time there was some talk of transferring the line of operations from the line of the railroad at Warrenton to the line of railroad at Aquia creek, General Halleck and General Meigs visited General Burnside, as I was informed, to determine whether this transfer of the line of operations should be made. As near as I can recollect, that was about the 11th of November. That matter was discussed between those generals and General Burn-

side, and it was determined that that transfer should be made. Some one of the party remarked, either General Halleck or General Meigs, I do not recollect which, that they thought they could have everything ready on this line in three days. This was not a private consultation. I was present in the room at the time these things were discussed, and although my opinion in regard to them was not asked I heard the conversation. They said that they thought they could have the pontoons ready, the stores landed, and everything in readiness to advance in three days. I remember that I thought that was marvellous at the time; that it was not within the range of human possibility to do that. Soon after the movement to the Rappahannock commenced.

I will say here that I brought up the rear of the army in marching from Warrenton to this point. I mention this matter because I think it has an important bearing upon some matters which are to come afterwards. The rear of this movement was considered the post of honor.

After being upon the road for about three days, I stopped one day, with my command, at Hartwood. From that point I addressed a letter to General Burnside, requesting that he would permit me to cross the river with my grand division at one of the fords there, and come down on the south side of the Rappahannock. But, for reasons assigned in a communication from him, the request was denied me. I then marched to this place.

In the meantime I had received orders to have my command furnished with twelve days' rations, forage for three days, and the requisite amount of ammunition. At Hartwood I had three days' provisions with me. On reaching this point I found that the divisions which had preceded me, I presume in obedience to orders, had provided themselves with the prescribed preparations, rations, forage, &c., for a forward movement, and nothing was left for my division. For three days after reaching here I was on less than half rations. After a few days, however, provisions began to accumulate here, and after a week or ten days I was enabled to prepare for the advance, so far as related to food. When I reached here, which was on the 22d November, all the pontoons had not arrived, and I was told that the reason for the limited amount of supplies was the difficulties of landing and forwarding; there were not cars enough; there were no facilities at Aquia creek or at Belle Plain for landing them.

After the pontoons arrived, it became a matter of importance to determine where and in what way we should cross the Rappahannock. The officers commanding the grand divisions were called together to discuss and determine that matter. One of the first questions that were submitted to us was where we should cross the river. General Burnside proposed that a portion of the command should cross here, and a portion should cross about twelve miles below here. I objected, by my vote in the council, to crossing two columns so far apart, and stated my preference that the whole army should cross at what is called the United States or Richards's ford, about twelve miles above here. But I was overruled, and it was determined that the crossing should be here and about twelve miles below here, and the road was

corduroyed in the vicinity of the crossing about twelve miles below here, in order to facilitate the crossing.

About this time General Burnside intimated that I should take the advance in crossing. I said to him that I should be most happy to do it; but if my division should hold the advance when it was the post of danger, and cover the retreat when that was the post of danger, I would like to have that place assigned me in line of battle; and if he would give me the right of this army, I would vindicate my claim to it.

It was then that General Burnside changed the plan of crossing, and he also changed the place of crossing. He had three bridges thrown across at Fredericksburg, and two bridges about three or four miles below here; and it was determined that Franklin should cross on the lower bridges, and Sumner should cross in advance of me on the upper bridges. My position, if they succeeded, was to be to hold my division in hand to spring upon the enemy in their retreat.

About this time a council of war was held to determine in what manner we should attack the enemy after crossing the river. It was determined, as I supposed—for I left the council with that impression—that we should attack them without any separation or division of the army, attacking the enemy on their right, below here. That was what I advocated, the keeping the army together, and turning the enemy's right. I did not approve the attempt to pierce so strong a line at two points, when one would be as much as we would be likely to succeed in. A prisoner, a German, had been taken and brought into this very room, (General Sumner's headquarters.) This prisoner said he had no objection to communicating everything that he knew in regard to the rebel forces, provided the rebel authorities were not informed of it. He had been impressed into their service, and wanted to quit it. His appearance and his story were such as to carry conviction to the minds of every one who heard him. He told us precisely of the arrangements for defence they had made on the right, but in regard to the left he knew less. He said that it was impossible for us to carry this position. He informed us of the batteries they had, the positions they had taken, and the defences they had thrown up, and said that the rebels regarded it as an impossibility for them to be driven from it. But General Burnside said that his favorite place of attack was on the telegraph road. Said he, "That has always been my favorite place of attack." The army was accordingly divided to make two attacks.

The night before the attack, two of my divisions—and they were my favorite divisions, for one was the division which I had educated myself, and the other was the one that Kearney had commanded, and of those two divisions I knew more than of any others in my command—these two divisions were sent down to support Franklin. They left here under orders to hold the bridge head. At 10 o'clock on the day of the battle I was standing here on this roof with General Burnside, when word was brought that those two divisions had been ordered forward with Franklin. I said to General Burnside that when it came to my turn to act I would have nothing to act

with, and that I did not want General Franklin to fight my divisions; that the next report we heard would be that those divisions were under fire. He assured me that they should not cross the bridge down there; that they were ordered as supports to Franklin, to assist in defending the bridges, and were not to go into battle with him.

Soon after I received an order to send another of my divisions to relieve General Howard's division, in the upper end of Fredericksburg. My other three divisions were drawn up at the heads of the bridges on this side, ready to cross at a moment's notice. About 2 o'clock on that day I received orders to send another of my divisions to support General Sturgis, and about the same time I received an order from General Burnside to cross over my other two divisions and attack the enemy on the telegraph road—the same position we had been butting against all day long. As soon as I received the order my divisions commenced crossing.

I rode forward to see what I could learn from the officers who had been engaged in the attack—General French, General Wilcox, General Couch, and General Hancock. Their opinion, with one exception, was, that the attack should not be made on that point. After conferring with them, I went to examine the position to ascertain whether or not it could be turned. Discovering no weak point, and seeing that many of the troops that had been already engaged in the attack were considerably demoralized, and fearing that should the enemy make an advance, even of but a small column, nothing but disaster would follow, I sent my aide-de-camp to General Burnside to say that I advised him not to attack at that place. He returned, saying that the attack must be made. I had the matter so much at heart that I put spurs to my horse and rode over here myself, and tried to dissuade General Burnside from making the attack. He insisted on its being made.

I then returned and brought up every available battery in the city, with a view to break away their barriers by the use of artillery. I proceeded against the barriers as I would against a fortification, and endeavored to breach a hole sufficiently large for a "forlorn hope" to enter. Before that the attack along the line, it seemed to me, had been too general—not sufficiently concentrated. I had two batteries posted on the left of the road, within 400 yards of the position upon which the attack was to be made, and I had other parts of batteries posted on the right of the road, at the distance of 500 or 600 yards. I had all these batteries playing with great vigor until sunset upon that point, but with no apparent effect upon the rebels or upon their works.

During the last part of the cannonading I had given directions to General Humphrey's division to form, under the shelter which a small hill afforded, in column for assault. When the fire of the artillery ceased I gave directions for the enemy's works to be assaulted. General Humphrey's men took off their knapsacks, overcoats, and haversacks. They were directed to make the assault with empty muskets, for there was no time there to load and fire. When the word was given the men moved forward with great impetuosity.

They ran and hurrahed, and I was encouraged by the great good feeling that pervaded them. The head of General Humphrey's column advanced to within, perhaps, 15 or 20 yards of the stone wall, which was the advanced position which the rebels held, and then they were thrown back as quickly as they had advanced. Probably the whole of the advance and the retiring did not occupy 15 minutes. They left behind, as was reported to me, 1,760 of their number, out of about 4,000.

I may as well state here that Sykes's division was drawn up to support Humphrey's, so that, in case Humphrey's should succeed, I could throw forward all the force that I had left—Sykes's division, about 4,000 men—to hold the position in face of 30,000 men who were massed behind that wall. That was why I did not like to make the attack, because, even if successful, I could not hold the position; and I assigned that as the reason I did not think it advisable to make the attack.

It was now just dark. Finding that I had lost as many men as my orders required me to lose, I suspended the attack, and directed that the men should hold, for the advance line between Fredericksburg and the enemy, a ditch that runs along about midway between the enemy's lines and the city, and which would afford a shelter for the men.

I will say that, in addition to the musketry fire that my men were exposed to, the crests of the hills surrounding Fredericksburg form almost a semicircle, and these were filled with artillery, and the focus was the column that moved up to this assault. That focus was within good canister range, though I do not think any canister was thrown on my men that day. All these difficulties were apparent, and perfectly well known to me, before I went into this assault. They were known also to other officers. General French said to me that the whole army could not take that point, and I reported that to General Burnside.

After establishing my picket line, I returned and reported to General Burnside what I had done. He was dissatisfied with the line I had taken for my pickets, and said that they must be established at the advanced position that we had held during the day. We had had some men lying down on their bellies, about one hundred yards beyond this ditch, on the side hill which we could sweep with our artillery, and take possession of at any time. I immediately sent word for my pickets to advance to that place, and make that the line of the pickets, as General Burnside had ordered. General Burnside said that if we came back to the ditch I have spoken of, it would be a falling back of our army. I put General Sykes's division on picket duty. That day, while the men were lying there on their bellies, my loss, in General Sykes's command, was two hundred and four men, and my men were where they could inflict little or no injury on the enemy. Had the enemy occupied the ditch, there might have been a half a dozen casualties during the day.

That night, after seeing General Burnside, I returned to Fredericksburg, and took command of the forces there. I placed General

Butterfield in the upper end of the town, so that he could defend it in case of an attack by the enemy. At the south end of the town I placed General Couch. I requested of General Burnside that all of the troops over there, but two divisions, might be withdrawn to this side of the river, because, if the enemy should throw a shell into the city, it could not fall amiss with all those troops there. Many of the troops were in such a condition that they gave me no additional strength. It has been reported through rebel sources that great dissatisfaction is felt at our not having him shelled while our troops were in the city. And I have heard that court-martials are now being held among the confederates to examine into that matter; and that at one time they were actually heating shot in their furnaces to throw into the city while we were there.

We remained there until Monday night and Tuesday morning, when orders were issued, first, for General Sumner's command to be withdrawn; and afterwards, between three and four o'clock in the morning, for my own command to be withdrawn.

I ought to say here that the morning after we had made our attack, orders were issued for another attack to be made in the same place. But the officers who had already been engaged demurred to it, and the order was not carried into execution.

Question. Had you made any impression, in the meantime, upon their works?

Answer. Not the slightest; no more than you could make upon the side of a mountain of rock. On the day following the attack another council of war was held, and the question was submitted, how that place could be taken? When I think of it, the council was held on Monday, if I am not mistaken. It was composed of the generals commanding the grand divisions—all but General Franklin, who said he could not leave town, as he was expecting an attack—and some of the corps commanders. The opinion of most of the council was, that the place could not be taken at all. My own opinion was that, if there was any chance to take the place, it was by forming a heavy column of attack at night, when the enemy could not see to use their artillery.

By Mr. CHANDLER:

Question. What was there to prevent flanking them on our right, beyond their batteries?

Answer. Water—a lake and a mill-race, which was reported to me to be impassable.

By the CHAIRMAN:

Question. Was the strength of their position such as could be ascertained from this side of the river, before making the attack?

Answer. Yes, sir. We had precise information of their position from the well-informed German prisoner I have before spoken of, who told us where their batteries were, of the ditches and the stone wall; and the officers who made the attack in the forepart of the day told me the same thing before I made my attack; and the troops massed

behind had been seen from the balloon. But if I was ordered to make the attack, I was perfectly willing to make it; for it made no difference what became of me. I made the attack, and such an attack as I believe has never before been made in this war.

Question. What is the length of that stone wall?

Answer. I should think it was some 500 or 600 yards; and rifle-pits were continued all along, amounting to almost the same thing. This wall appears to be not simply a plain stone wall, but a support wall. Behind the wall were rifle-pits, and there was earth between the rifle-pits and the wall. To batter down that wall was like battering the masonry of a fortification. I thought at first that I could knock the wall to pieces, and drive the rebels from behind it. My batteries were served as gallantly as batteries could be served. They fired just as well as batteries could be fired. But their fire made no impression at all. I do not think one rebel ran from behind the wall, or from the rifle-pits. All I wanted to do was to make one hole through the wall, and I brought to bear all I could to do that.

Question. What prevented crossing the whole force at the upper fords, some twelve miles from here—crossing the river there, and getting into the enemy's rear?

Answer. I do not know that anything prevented it, except that whenever a move of that sort should be attempted, the enemy would know of it as soon as we commenced it, and the fords there are of such a character that a few hours' work with so many men as they have would make those places very formidable. But I think that that would have been a much better move than either of the others were.

I have not seen the works down below here. But it has always been my impression that Franklin, who was down there with ——— men, his own grand division, and ——— of mine, could have swept everything before him. He represented the position down there as very formidable. But I have no idea, although I have never seen it, but that ——— men could have carried everything down there. I do not know the fact, but I have understood that a large portion of Franklin's force was not engaged at all.

Question. After the fight, what prevented the enemy crowding you into the river, if they had made an attack?

Answer. All that I had there to prevent it was this one division of 4,000 men that had not been engaged, and another division of mine in the upper end of the town that had been sent there to relieve General Howard's division. I had full confidence in those two divisions, because they had not been engaged.

Question. What was the number, all together, of our forces that were engaged?

Answer. I should think there must have been between ——— and ——— men under fire.

Question. What was the number of the whole army that we had across the river?

Answer. Franklin had nearly ——— men. I should think that we must have had altogether over the river well on to ——— men.

Question. What is your estimate of the rebel forces over there?

Answer. I think they had about 80,000 men. The German prisoner said that they claimed to have a hundred thousand men. Once in that position they are a great deal stronger to resist than we are to attack. In an open field, in my opinion, they would not be a match for us if our army was in good condition.

Question. How did the men behave during the attack?

Answer. They behaved well. There never was anything more glorious than the behavior of the men. No campaign in the world ever saw a more gallant advance than Humphrey's men made there. But they were put to do a work that no men could do.

Question. What do you know about the delay in making the attack after the army arrived here?

Answer. There was a delay in the arrival of the pontoons; and there was also a delay in getting the provisions up here.

Question. Do you know at what time the pontoons were expected to be here?

Answer. As I have before stated, I heard General Meigs, or General Halleck, assure General Burnside that they would be here in three days.

Question. Would that have been as soon as the army could have arrived here?

Answer. That would have been just as soon as the army could march here. They got ready fully as soon as I thought they could. When we had possession here before, the government built a valuable wharf which would have answered every purpose to land stores for an army of 100,000 or 200,000 men. But when the army left here that wharf was burned, although the enemy had no vessels on the river, and the wharf could not have been used by them. I knew at Warrenton that a transfer of the line of operations of this army could not be made in three days, or in three times three days. There were wharves to be built before the stores could be landed, for even if the stores were brought here they could not be landed until the wharf was built, except it was done by lighters. Then there were bridges to be built. I think it must have been ten days after I got here before the bridge over Potomac creek was built.

Question. Had this wharf been burned when the conversation between General Halleck and General Burnside took place?

Answer. It was burned long before that.

By Mr. GOOCH:

Question. From the conversation to which you have referred, who did you understand was responsible for having the pontoons and the other necessary supplies for the army sent here?

Answer. I supposed that was the quartermaster's business.

Question. As the matter was left at the time of the conversation, did you understand that the responsibility of having the pontoons and supplies here rested upon General Burnside, or upon General Halleck and General Meigs?

Answer. I think it necessarily rested upon General Halleck and

General Meigs, because it was beyond the control of General Burnside, who was not where he could control it.

Question. Then, as I understand you, General Burnside, from that interview, had a right to expect the pontoons and supplies here as soon as he could reach here himself?

Answer. That impression was left on my mind.

By the CHAIRMAN:

Question. If they had been here, what would have been the result?

Answer. When Sumner's advance column reached here there were only some 500 of the rebels in Fredericksburg. I do not know why they did not take possession of Fredericksburg. But the feeling seemed to be that they could take possession of Fredericksburg at any time; only a few days before Lieutenant Dahlgren, of the cavalry, with fifty-five men, crossed the river and took possession of the town. When I was at Hartwood I heard that there was going to be a delay of three or four days in getting the pontoons here, and that was one reason why I asked permission of General Burnside to cross at the ford there, and come down on the other side of the river. When we got here we should have been in condition to march right forward without stopping a day anywhere. But the same mistake was made here that has been made all along through this war. I think it would have been better to have held the line where we were, by retaining a sufficient force there to threaten the enemy and keep them up to their works at Culpeper and Gordonsville. But instead of that, we withdrew every man, and even burned the bridges, thus exposing our plan to the enemy the very moment we did so. If General Sumner's corps had come down here and left me up there threatening to advance on that line, or had them to believe that we were going to advance on both lines, it would have been better. But the enemy saw at once what we were at, and came right down here, and they were nearer here than we were; and this country is such that wherever you give them two or three weeks to fortify, 100,000 men can make any place impregnable to any other 100,000 men.

By Mr. GOOCH:

Question. What was the strength of your command at Hartwood?

Answer. It was ——— men.

Question. Would there have been any difficulty as to supplies in your moving down the other side of the river, as you proposed?

Answer. I had three days' rations then; I was preparing to march down through Caroline county, where the people had just gathered their crops, and I could have got plenty of forage and provisions enough for a week or a fortnight. At the time of the conversation between General Halleck, General Meigs, and General Burnside, there was some talk of forwarding some supplies up the Rappahannock. I said that at Bowling Green I could draw my supplies from Port Royal as easily as I could get them when I was at Hartwood. I knew that I could take a position with 40,000 men that the whole rebel army could not move me from.

Question. Would that movement have been a safe one in view of the fact that this army had not the means of crossing here?

Answer. Yes, sir; because I could take the heights there with my command, and put them in a condition of defence. If I had gone there not a man of the enemy would have come to Fredericksburg, but they would have gone to some other river and fortified there, if we had given them time, as effectually as they have here. I regard the rebel position on the Rappahannock as a strong one; I mean the one they retired to from Manassas. They had the advantage of two railroads—one to bring their supplies to them from the west, and the railroad from Richmond to bring their troops up from there. It is the strongest position they had in Virginia. The advantages of this position, to hold against a force seeking to cross the river and attack it, are such as I have never before seen.

Question. How far apart are the bridges at the two points where our army crossed here?

Answer. About four miles.

Question. You speak of the telegraph road; will you state more definitely what that road is?

Answer. The telegraph road leaves Fredericksburg from Hanover street, and runs through a depression in the hills in the direction of Bowling Green.

Question. How do you explain the fact that the enemy did not shell the city when our troops were crossed there?

Answer. I cannot explain it. It is inexplicable to me that they did not do so. As I have before stated, it is reported under flag of truce that they had at one time shot heating with which to fire the city, and that would have made a terrible time of it.

Question. Was our recrossing made unbeknown to the enemy?

Answer. I think it was here; how it was down below I cannot say. It was late when I got the order to withdraw my command—between three and four o'clock in the morning—and it was between eight and nine o'clock when the last of the troops were withdrawn. The enemy did not seem to realize but that there were troops in the houses. I withdrew my exterior line of pickets last of all, and they were not followed by the enemy.

Question. Had they discovered that our troops were to be recrossed, what could they have done?

Answer. I do not think we should have suffered much from their artillery fire on such a night as that was, as it would have been but random firing.

MONDAY, *December* 22, 1862.

Major General Henry W. Halleck sworn and examined.

By the CHAIRMAN:

Question. By a resolution of the Senate we are instructed to inquire into the recent assault on Fredericksburg, and the reasons for the delay in attacking the enemy's works. There seems to be a misunderstanding as to whose duty it was to furnish the pontoon boats. It appeared to be material that they should have been there at the same time that the army got there. The army got there first, and the pontoons did not get there till some time afterwards, through mistake or delay. That is a matter of inquiry. State, in your own way, anything you think material which will throw light upon the subject of our inquiry, and especially as to the delay.

Answer. I will state that all the troops in Washington and its vicinity were under the command of General McClellan when he was relieved, and he issued his orders directly to the commanding officer of Washington, with one single restriction, that no troops should be moved from the command of Washington until I was notified by General McClellan or the commanding officer here. In all other respects they were all under his direction. General Burnside, when he relieved him, was told that they remained precisely the same as before. On my visit to General Burnside at Warrenton, on the 12th of November, in speaking about the boats and things that he required from here, I repeated to him that they were all subject to his orders, with that single exception. To prevent the necessity of the commanding officer here reporting the order for the boats here, the order was drawn up upon his table and signed by me directly to General Woodbury, on the evening of the 12th, I think, the evening that I was there. I saw General Woodbury on my return, and he told me he had received the order. I told him that in all these matters he was under General Burnside's direction; I had nothing further to give him, except to communicate that order to him. In conversation with him and General Meigs, it was proposed that the train of pontoons should go down by land, as they could be gotten down sooner in that way, without interfering with the supplies which had to be sent to Aquia creek. I gave no other order or direction in relation to the matter than that. All other matters were under General Burnside's direction. He also informed me while at Warrenton, that Captain Duane, chief of the engineers, had already sent an order to Harper's Ferry for the pontoon train there to go down. The order had been issued. They being under General Burnside's immediate and direct command, I did not interfere at all in relation to them.

Question. Do you know whether there was any delay in starting them, or in their progress there?

Answer. I heard that there was a delay from the steamers getting aground with the pontoons, and there was a delay, as I understood,

in the train going down by land, on account of the difficulty of the roads and the inexperience, perhaps, of the officer in command, and it had to be taken by water part of the way; it could not get through by land. I considered, from the reports I received, that these delays resulted mainly from accident and the elements, that no man had any control over. General Burnside telegraphed to me in relation to General Woodbury, thinking that he had not used due diligence, but afterwards told me he was perfectly satisfied with what General Woodbury had done, and that he did not know but that the commanding officer of the train that went down had done his duty also; that he was disposed to make no further investigation of that matter; that he was pretty well satisfied.

Question. Was there any request for you to delay the advance of the men until the boats arrived, or anything of that kind?

Answer. No, sir. I remember this, that General Woodbury, in conversation with me, said that General Burnside could not get down for several days after I told him, and that he could not land the boats until General Burnside arrived. I think I remarked to him that I did not know exactly the day when General Burnside would move; that I could not tell him, as the general did not know himself. While I was at Warrenton he proposed this movement, and he was directed to make all preparations for it, but not to begin it until the President was consulted. I returned on the afternoon of the 13th, and, I think, on the morning of the 14th I had an interview with the President, in which he consented to General Burnside's plans, and I immediately telegraphed to him to go ahead as he had proposed. I understood that there was considerable delay in getting the boats from Aquia down to the Rappahannock river on account of the bad roads, difficulty of transportation, &c., but no other delay than that which would naturally occur over a rough country like that, and accidental delay in laying the bridges was reported to me from the inexperience of the pontoniers who laid the upper bridges; there was considerable delay in that. We could not commence the repair of the railroad until General Burnside took possession of it, as it was all in the possession of the enemy. That was understood between him and General Haupt in my presence. General Haupt went out with me to make the arrangement for repairing the roads as early as possible. I remember the conversation; he could not land anything, but would have everything down ready as soon as he could, and when he found General Burnside was in possession he would commence.

By Mr. GOOCH:

Question. When you were at Warrenton, General Burnside had just assumed the command of the army of the Potomac?

Answer. Five days before, I think.

Question. Was there, or not, any agreement or understanding between you and General Burnside when you were at Warrenton that the pontoons and army stores, or either of them, should be furnished to him by the authorities here without his looking after them himself?

Answer. No, sir.

Question. I will say army stores necessary for him to cross the river and move forward from Fredericksburg.

Answer. No, sir. I requested General Meigs, as chief quartermaster, and General Haupt, in charge of the railroads, to go with me to consult with General Burnside, and told him that everything was at his disposition; he must make his own requisitions and give his own orders; that I would not interfere except to assist in carrying his views out as much as I could; whenever anything was reported to me as not being done, that I would render all the assistance in my power, and just previous to that time, with reference to a requisition which he had sent me, I told him not to send me any requisitions, but to make them on the proper heads of departments, and if they did not do their duty, then immediately report it to me, but that I could not attend to any requisitions at all.

Question. When you were there was the time considered that it would take to move the army from where it was to Falmouth, opposite Fredericksburg?

Answer. No, sir; for it was not determined at that time that the movement should be made.

Question. Was it not determined that it should be made provided the President assented to it?

Answer. Yes, sir; and he was immediately to commence his preparations as though it had been assented to until telegraphed to the contrary, but not to make any movement.

Question. Was, or was not, the time requisite for the movement of the army from where it was to Falmouth considered at that time?

Answer. It may have been spoken of in conversation. We had a long conversation of three or four hours, and it may have been alluded to; nothing definite was decided upon in relation to the time it would take. Indeed, I remarked when I left him that he was of opinion that he would cross a portion of his forces at the fords above the junction of the rivers. That was the opinion that he expressed before I left.

Question. And the residue at Falmouth?

Answer. Yes, sir.

Question. Do you recollect whether or not there was any discussion when you were there as to the point that it was necessary that the pontoons and the army should arrive at Falmouth at the same period of time, so that the enemy should not know the point designated for the crossing?

Answer. I do not think that was mentioned. This matter, I know, was mentioned, that the pontoons should be there as soon as they could after he had got possession of the road, so that they could be taken down.

Question. At any time did General Woodbury go to you and suggest to you that it would be impossible to get the pontoons or stores at Falmouth so soon as was expected, and that for that reason it would be

advisable that the movement of the army of General Burnside should be delayed?

Answer. Not to my recollection. General Woodbury, in conversation—I think a part of the time General Meigs was present—spoke of the difficulty of getting instantly sufficient transportation to go down, and therefore that the train should go by land. The transports were required to get down provisions, and it was suggested that as few as possible should be used for moving the pontoon train.

Question. Since General Burnside has been in command of the army of the Potomac, have all its movements been made according to his judgment and direction, so far as you know?

Answer. Yes, sir; entirely.

By Mr. WRIGHT:

Question. I understand you to say, general, that the delay in the bridges, you think, was caused by the elements and the inefficiency of men, and that there is nobody to blame that you know of?

Answer. I will not say inefficiency of men; but I will say this, that General Burnside reported to me that the officer in command of the land train had not been as efficient as he ought to have been, but he afterwards modified that report. I told him to arrest any person who had neglected his duty and send him to Washington immediately, and he said to me that he did not think it necessary.

By the CHAIRMAN:

Question. One more question is suggested to me, which I will put. It is whether you were requested to repair that road before the army left Harper's Ferry?

The WITNESS. Before General McClellan's army left Harper's Ferry?

The CHAIRMAN. Yes, sir; before they left there were you requested by General McClellan to have that road repaired?

Answer. Not that I remember. I was told that one of his staff officers had requested it to be repaired, and the answer was immediately made by myself, "We cannot do anything there until he takes possession of the road;" and, moreover, I did not know that he was going there, for he had not informed me as to where he intended to go. If at any time any suggestion of that kind was made to me, it was made with reference to some future time, and not as to any immediate action. No request was made, according to my recollection. I will add that if any paper came to me in which an allusion was made to that being done, it was referred by me immediately to the head of the department having charge of it—either to General Haupt or General Meigs.

Question. But you do not recollect any such request?

Answer. No, sir.

DECEMBER 22, 1862.

Brigadier General M. C. Meigs sworn and examined.

By the CHAIRMAN:

Question. In your own way give your own explanations of anything that occurs to you to be material to the inquiry we are directed to make as to the battle at Fredericksburg.

Answer. As I presume this inquiry arises principally from the excited state of the public mind and the public press on this subject, and as the statements which have been published show a misapprehension of the true facts of the case—and I see that the press, in some degree at least, holds me responsible for certain failures connected with the pontoon train and supplies, and also that this committee is called upon by the press to extend its investigation to the desire of General McClellan to have the railroad from Aquia creek repaired some time before the army marched from Harper's Ferry, and the quartermaster's department has been held responsible by the public press for not having done this—I think I had better begin at that point.

Before the army of the Potomac left the vicinity of Harper's Ferry I received a telegram from Colonel Ingalls, chief quartermaster, dated 6th November, which I have read within a few days. Though I have not got it here, I can remember its substance: He requested me to direct that all the cars that could be obtained should be loaded with commissary and quartermaster's supplies, and placed in convenient positions on the railroad west of Alexandria, so as to be sent over the Manassas Gap road, and over the other railroads radiating from that point, to meet the army on its march. He also requested, in the last sentence of his despatch, that I would cause the road from *Aquia creek to Richmond, via Fredericksburg*, to be put in repair. I wrote on the back of that telegram, as is my habit, directions to give the orders which I thought were necessary. I sent copies of the telegram to the principal agents of the supply departments, to the commissary general in regard to commissary stores, and to the chief quartermaster of this depot, whose duty it is to provide quartermaster's stores, and provide the transportation for them, and to those who had charge of the repairing and running of the military railroads—General Haupt and Colonel McCallum. I inquired what preparation had been made for repairing these roads, and directed those under my orders to be ready to meet the requirements of the despatch. I knew the matter was in good hands, and I took it for granted that all proper preparations had already been made; and I learned on inquiry that they had been—that they were ready.

I remember writing on the back of the telegram that, of course, the repair of the railroad to Richmond would depend upon its being occupied by troops of the United States. It was at that time in possession of the enemy, and it would have been as easy at that time for me to provide barracks in Richmond as to repair the road to Richmond. I saw General Halleck, and mentioned this to him. I do

not remember exactly what reply I made to Colonel Ingalls, but on seeing him afterwards I spoke of it, and I understood that this was a despatch written at his own instance, not specifically directed by General McClellan; but in that I may be mistaken. I have not spoken to General McClellan on the subject, and I derive this impression from what I remember of Colonel Ingalls' statement. We had then, I believe, everything nearly ready to repair the road whenever we should be able to get possession of it. We had built there last spring a very large wharf, about a thousand feet in length. There were requisitions on the quartermaster's department to build still larger wharves—one about 1,800 feet long—at the time the corps of General Burnside landed there and went forward to the Rappahannock and Rapidan. I remember at that time advising the authorities that by the time I could get a vessel load of lumber to the place it would be abandoned; and the fact was, that before any progress could be made in building the 1,800 feet additional wharf, the work already constructed there was destroyed, besides the cars and a considerable quantity of stores; and the bridges were burnt, to my great regret. I endeavored to prevent it, but heard of the intention too late. The next time this matter came to my attention in any way, was when General Halleck informed me that General Burnside had taken command of the army of the Potomac, and desired to change his base of operations, and requested me to accompany him to Warrenton to see General Burnside. I went with him on the 12th of November; and with us went General Haupt, the director and superintendent of military railroads appointed by the Secretary of War, who acts in connexion with the quartermaster's department. We furnish the funds, and he is supposed to be under the direction of the department. He is a very able and competent man. There was a good deal of conversation with General Burnside that night which I did not hear. I left General Halleck and himself to discuss the project of campaign, and I entered into it only late in the evening. I was informed that the general-in-chief would refer the matter to the President for his approval, and that General Burnside was to carry out his own plans if the President should approve.

I do not think that anything was said to me about pontoons then, but General Burnside asked me how soon I could have supplies ready for his army. I think he asked me how many days it would take to get the supplies to Aquia creek. I told him it could not be done in a day; that we could do a good deal, but that it took time to accomplish so great a movement. Here was an army of over men, the population of a great city, suddenly to be whipped up to break off from its lines of communication and be transferred to a new position, and their supplies to be landed from a narrow channel, a contracted harbor, with very shallow water; that to supply them with all the necessaries of life was like undertaking to supply Boston without any previous provision being made. I said it could not be done except with great labor, and that the army must do its own share; that I would collect all the suitable vessels I could and have them employed in the work. We had a number of vessels, barges, and canal-boats

lready in the river. Our canal-boats were principally up the canal etween here and Harper's Ferry. I said that we would collect them s rapidly as possible, and I would promise to have the supplies at Aquia creek by the time he got there, but that he had three or four housand wagons with his army, and when he got to Falmouth, opposite Fredericksburg, he must send his wagons down to the Potomac nd let them haul the supplies to the camps; that the railroad could ot be repaired in a day; that we did not know the condition of the ridges. He was under the impression, I think, that the bridges had ot not been burned; they had been burned, however.

I understood that there was not a large force at Fredericksburg. Captain Dahlgren, of General Sigel's staff, had made a dash into Fredericksburg a few days before, and had driven out what little force as there, and I was told by General Heintzelman that in this dash e had burned some bridges. I had the impression that he had urned these very railroad bridges; that they were burned then, and ot before; but what were the facts in that matter I do not know. On ur way out to Warrenton General Haupt had consulted me as to the est mode of organizing a corps of workmen for the railroad repair nd wharf building. I told him there were two regiments of engineer oldiers here under the charge of General Woodbury, already organed; that they were composed principally of mechanics and workmen; that he could get no more intelligent, no more skilful, no better isciplined men, and they would serve both as guards and workmen; nd I advised him to ask General Halleck to place a portion of them t least at his disposal, and to order them to Aquia creek. The idea ruck him favorably. He requested it, and subsequently orders were iven to send down this engineer brigade under General Woodbury.

I did not see at that time General Burnside's letter containing his lan of campaign. When he last visited this city, in conversation ith me on this subject, he expressed some surprise that I had not een it; he thought I had; and he then read it to me. I do not remember how the question of his pontoon train came up at Warrenon. My own recollection of the circumstances is that it occurred to e that if he was going to Fredericksburg he would want pontoons, nd I remember that I wrote in pencil an order to General Woodury to call on the quartermaster at Washington for transportation or his pontoons to Aquia creek. Being under the impression at the ime that the bridges were up near Harper's Ferry, and that they ould have to be transported from that place, I thought he might eed canal-boats, and perhaps horses, to tow them down the canal, nd steamers to take them from Washington to Aquia creek. I handed his order to General Halleck, saying, "General Woodbury is an ngineer; he is under your orders, not under mine, and it is not roper, therefore, for me to sign this order. If you think it right, I dvise you to sign it." He signed it, and it was sent off to the teleraph office. I also wrote a despatch myself to the quartermaster in Baltimore, who was under my orders, directing a copy to be handed *transitu* to the quartermaster here, calling on him to send a hundred arges as soon as possible to Washington for the purpose of taking

supplies to Aquia creek and Belle Plain. These barges draw but little water and are available in the river where larger vessels cannot approach the shore. General Haupt was with us. He required no directions, for he was in consultation with General Burnside and General Halleck. He had everything ready. It was perfectly well understood by him and myself, and I think also by General Halleck and General Burnside, (though I do not think it was a subject of special conversation,) that nothing could be done at Aquia creek until we had possession of it. The supplies, under protection of gunboats, could lay off in the harbor, but could not land. I thought the engineer brigade might be able to drive off the enemy's pickets and land, and that, I believe, was done. I think the engineer brigade landed at Aquia creek before General Burnside reached Falmouth, and that on their landing the enemy's pickets ran away, and then operations commenced. I was of opinion, and I suppose I expressed it to General Halleck, that the best way to get pontoons and pontoon trains from Washington would be to pack the flooring, and ropes, and anchors, &c., of the bridges in the pontoon boats and tow them down the river by steamer, while the wagons, on which they are ordinarily transported when moving by land, with their horses and harness, should march, under a guard, from Alexandria to Aquia creek, there to take up the pontoons and transport them to Falmouth by the common road. By this means I supposed the wagons would go light, and would get through more rapidly, and with less wear and tear to the horses.

I returned to Washington on the 13th, with General Halleck, and I do not think I had any discussion with him on that subject after I returned. I do not think I saw General Halleck again, or spoke with him about the transfer of the pontoon train. I did see General Woodbury. He called at my office, and we had some conversation. He did not, as I remember, ask me to give any orders or do anything, and I presumed everything was going on satisfactorily. I asked him when he would go down, and he said he would go down on Sunday; I do not remember the date, but it was the Sunday following our visit to Warrenton, (16th November.) He and Colonel Ingalls, and I think General Haupt, went down in a steamer on Monday to look at the place. A small portion of the engineer brigade had gone before, as I understood. I have since asked the chief quartermaster here, since the complaint which has been made on this subject, what was done by him, and he tells me that he received one evening a request from General Woodbury to have two steamers ready to take six companies of the engineer brigade to Aquia creek, I think, and some to Belle Plain, and to tow down some pontoons the next morning. He answered that the steamers should be in the Eastern Branch ready for him by daylight next morning, and they were there at the time appointed. The preparation of the train and getting the boats into position, I am told, occupied all that day, and the night was dark or foggy, so that the steamers did not sail, I think, until the next morning. One of them got aground at the mouth of the river and lay there for some time before they succeeded in getting her off, and that was the one which towed this fleet of pontoon boats. I have

ıce inquired whether he had heard anything in regard to the march the pontoon train and wagons, and he told me that the wagon ıin had started across the country, but a rain coming on in the ɜan time, had raised the streams; the roads were crooked and narw and deep; the wagons were long, unwieldy, and difficult to turn, d they failed to get through; and that the wagon train finally rerned to the shore somewhere, and took a boat to Aquia creek. ıat is all hearsay, but I presume it is correct. The supplies were nt down. Barges were sent here from Baltimore and Philadelphia, 'e could not get enough in Baltimore,) and I believe the army has ıt suffered from the want of any supplies. As soon as the army ached Falmouth and protected the line, and I think even before it ıened communication with Aquia creek, work was commenced on the ilroad, and the railroad was repaired. The large wharf of a thousand et in length has been entirely reconstructed, and we have made 'eparations for building other wharves, extending the railroad down ong the shore, and giving increased facilities for landing. When eneral Burnside showed me his plan of campaign I found, as I reember now, that there was provision that the pontoons themselves ıould march by land to meet him, exactly at what time I am not ıle to say; but any expectation that a pontoon train should be at almouth when the army arrived there would necessarily be disapıinted, in my opinion. No pontoon train could go to Falmouth ithout a sufficient guard to drive out the enemy's pickets, and if it ot there before the army, the enemy would have captured it. 'hat the army itself did not do, it was not to be expected that the uard of the pontoon train should do. Hearing, when General Burnide was last in the city, that there were complaints on this subject—nd here allow me to say that the quartermaster's department, which loes a great deal for the army, is apt to be held responsible for everyhing that is not done—hearing that it was blamed for the failure to ;et the pontoons to Falmouth by the time the army reached that ılace, I replied to my informant, who was connected with the press, that the quartermaster's department was no more responsible for the march of a pontoon train than for the march of a battery of artillery or of a regiment of infantry; that its business was to provide material for the transportation of the army, and it had done so; had filled every requisition, and I have heard no complaint on that point. General Burnside came to see me a few minutes after this gentleman left my room, and I mentioned to him that I had just been told that public opinion was censuring the department. He laughed, and said he not only had no complaint to make against the officers of the quartermaster's or commissary's department, but he was surprised that they had been able to accomplish so much.

Question. Who would be responsible for that particular duty of getting the pontoons over there—General Woodbury?

Answer. If General Woodbury had orders from General Burnside, he was responsible for carrying them out or making him understand that it was impracticable to carry them out. The march of an army is to be managed by its commander. When a general undertakes to

make a movement he must give his orders himself, as General Halleck has told you. Every order that General Burnside requested from me, every requisition that was made upon me, he says himself was fully and promptly satisfied. If you want my opinion, I have an opinion on the subject, not as to anybody's being to blame, but as to what the facts were. I think there was a mistake made in expecting pontoons, which, I believe, at the time were at Berlin to be got to Falmouth while the army made two and a half days' march. I do not think it practicable. A march of 100 miles for a pontoon train is a serious matter, whether the march be made by land or by water. The march across from Warrenton, after the army was fairly under way, ought not, I suppose, to have taken over two days and a half, and I do not think it did. I think they marched rapidly, and crossed over to Falmouth in two days and a half. From what little I heard of the discussion between General Halleck and General Burnside—I only heard a part of it—I expected that a portion of General Burnside's army would cross above Fredericksburg, and I think he used the expression that within twenty-four or forty-eight hours, I do not remember which, after he got permission to move, his cavalry would be in Fredericksburg, the main body of his army, however, not crossing above, but crossing at Falmouth.

List of casualties in the army of the Potomac during the battle of Fredericksburg, Va., December, 1862.

	Wounded.	Killed.	Missing.	Total.
Centre grand division	2,469	327	748	3,548
Left grand division	2,430	338	1,531	4,679
Right grand division	4,159	480	855	5,494
Engineers	43	7	100	50
Total	9,101	1,152	3,234	13,771

Treated in hospital	1,630
Killed	1,152
	2,782

There is little doubt that the aggregate of cases returned as treated in hospital and the returns of killed will cover the whole amount of disabling casualties occurring at the battle of Fredericksburg, December 14.

The return of killed may be too small, but the other amount (to wit, 1,630) is, without doubt, sufficiently liberal to compensate any such deficiency.

THS. F. PERLEY,
Medical Inspector General.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 72.

IN THE SENATE OF THE UNITED STATES.

JANUARY 5, 1863.—Ordered to be printed.

Mr. TRUMBULL made the following

REPORT.

[To accompany S. R. No. 114.]

The Committee on the Judiciary, to whom was referred the memorial of Hon. Perry E. Brocchus, praying compensation as associate justice of the Supreme Court of the United States for the Territory of New Mexico, report:

That upon examination the committee find that the memorialist, Perry E. Brocchus, was, on the 7th day of January, 1861, nominated as an associate justice of the Supreme Court of the United States for the Territory of New Mexico, and on the 24th day of the same month confirmed by the Senate to that office.

The memorialist shows that, as he was by law bound to do (see 2 Stat. at Large, 788) on receiving his appointment, he relinquished and declined all professional business, and became entirely dependent on the emoluments of the office to which he had been commissioned.

The winter at that time prevailing was of such severity that it made the journey across the plains to New Mexico one of great difficulty and peril: but the memorialist represents that he used due diligence in preparing to go to his post of duty as soon as it could be safely done, and for that purpose purchased an ambulance, mules, horses, &c., which he was afterwards obliged to dispose of at a great sacrifice.

On the 30th day of April, in the same year, as memorialist was setting out for the Territory of New Mexico, he was superseded and removed from office.

Afterwards, as memorialist shows, he applied to the First Auditor of the United States Treasury to furnish to the Comptroller thereof his account for his salary from the 24th of January, 1861, to the 30th of April following, which, for that space of time, being three months and six days, amounted to the sum of six hundred and sixty-five dollars, at the yearly salary of twenty-five hundred dollars.—(See 10 Stat. at Large, page 311.) The First Auditor refused compliance with this request upon the ground that the memorialist had never taken the oath of office, which, by law, (see 9 Stat. at Large, 451,) can only be

taken in the Territory, and which he could not take on account of his removal from office before he could arrive in the Territory. The only reason assigned by the Comptroller, to whom an appeal from the First Auditor was taken, and whose written report in the case is among the papers, for the refusal to pay the memorialist his claim, is the non-compliance by the memorialist with the strict letter of the statute in not taking the oath of office.

The committee are of the opinion that the memorialist has presented a sufficient cause for equitable relief, and therefore recommend the adoption of the accompanying joint resolution.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 73.

IN THE SENATE OF THE UNITED STATES.

JANUARY 13, 1863 —Ordered to be printed

Mr. COLLAMER, from the Committee on the Library, submitted the following

REPORT.

The Committee on the Library, to whom was referred the message of the President of the United States transmitting the correspondence relative to certain valuable publications presented to the Library of Congress by the trustees of the British Museum, have had the same under consideration, and now respectfully report:

That the books referred to in that correspondence have been received in the library of Congress, and the librarian has been instructed to thank the trustees for their generous donation.

The committee ask to be discharged from further consideration of this matter.

IN THE SENATE OF THE UNITED STATES.

JANUARY 14, 1863.—Ordered to be printed.

Mr. SAULSBURY made the following

REPORT.

[To accompany bill S. No. 422.]

The Committee on Patents, to whom was referred the petition of Phebe Ann Fisk, executrix of Almond D. Fisk, praying for relief, and the bill accompanying the same, report:

That it appears from the evidence in the case that the husband of the petitioner received a patent on the 14th of November, 1848, as the inventor of a metallic coffin, or burial case; that after the issue of said patent, and to enable him to commence the manufacture of said cases, he erected buildings and provided machinery at an expense of over $10,000; that in the fall of 1849 the said buildings were in the night time destroyed by fire, together with nearly all his machinery, tools, and the cases in process of finishing; that by this calamity the said Almond D. Fisk lost his entire capital, and that by exposure at the time of the fire he took a severe cold, from the effects of which he died in the month of October, 1850, leaving a widow, this petitioner, and four infant children.

That, after the said fire, and before the death of the said Almond D. Fisk, he borrowed about the sum of $15,000 to enable him to erect other buildings and procure other machinery, stock, &c., to secure the payment of which sum he mortgaged his patent and buildings in course of erection, machinery, and stock; that, in September, 1850, he put the mortgagors into possession of the mortgaged property; that the assignees of the original mortgagors surrendered the patent and obtained a reissue on the 6th day of March, 1860, for the remainder of the term it had to run; that, before the expiration of the said term, the petitioner applied to the Commissioner of Patents for an extension of the patent for seven years, as it stood upon the record; that the Commissioner decided that he could not extend the reissued patent of 1860, but this decision was made only a few days before the expiration of the original patent, so that sufficient time was not left to give the required notice of application for the extension of said original patent. And the committee further report that it appears from the evidence in the case that the said invention has

been valuable to the public and profitable to the said assignees, but that the widow and children of the said Almond D. Fisk have never received any benefit therefrom, with the exception of a small sum as a gratuity from said assignees.

The committee therefore report back the bill referred to them in this case with an amendment, and recommend its passage.

7TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 75.

IN THE SENATE OF THE UNITED STATES.

JANUARY 15, 1863.—Ordered to be printed with the documents.

Mr. MORRILL, from the special committee appointed to inquire into the facts relative to the chartering of transport vessels for the Banks expedition, and the character of the men employed to navigate them, submitted the following

REPORT IN PART.

The select committee of the Senate appointed to inquire into the chartering of transport vessels for the Banks expedition, and also in regard to the employment of transports generally, report in part, to wit, as to the Banks expedition:

The following are the resolutions of the Senate:

"*Resolved*, That a select committee of three members be appointed inquire into and report to the Senate the facts, including brokerage, regard to the chartering of transport vessels for the Banks expetion; the seaworthiness of such vessels, and the character of the en employed to navigate them; and that they be empowered to send r persons and papers."

"*Resolved*, That the select committee of the Senate appointed on e 22d instant to inquire into the matter of chartering transport ssels for the Banks expedition be also instructed to inquire into the anner of the employment of transports generally by the quarterasters of the army, or by the agents of the War Department; the tes at which they were engaged, by whom, for what purpose, and r how long a time."

Acting upon the precedence apparently given in the resolutions to e subject-matter of inquiry, the committee at once proceeded to ew York, where the expedition referred to was fitted out, as the lace most favorable for despatch in the discharge of their duties.

The enterprise was completed in the months of November and Deember last, and the expedition sailed from New York on the 14th of e latter month; the fleet comprising twenty-six steam-vessels of all escriptions and twenty-five sail-vessels, chartered and fitted for the oyage at New York.

The vessels were selected and chartered, under the authority of the ecretary of War, by Cornelius Vanderbilt, of New York, he stiputing as a condition of his accepting the trust that he was not exected to receive compensation therefor. Commodore Van Brunt, of

the United States navy, was ordered by the Secretary of the Navy to report to General Banks at New York "for special service in the supervision and outfit of the transport fleet of the expedition," and was authorized by General Banks to avail himself of the assistance of Charles H. Haswell, of New York, an engineer by profession. and surveyor of steamers for the underwriters in the cities of New York, Boston, and Philadelphia, and Lloyd's, London.

These persons are regarded by the committee as the responsible parties and authorized agents of the government for the fitting out of the transport fleet of the expedition. The scope of their combined authority comprehended the chartering, inspecting, fitting, supervising, and all needful preparations for the safe embarkation of the troops.

It will be noticed that two classes of vessels, steam and sail, were employed in nearly equal numbers. It is believed that both economy and safety would have dictated the employment of a larger proportion of the latter; but it is not improbable that these considerations were held to be subordinate, to some extent at least, to a real or supposed necessity for despatch in the movement of the expedition, and to that extent would abate the force of the criticism otherwise deemed not unjust.

The sail-vessels were generally of the first class, and were chartered at fair rates—such, under the terms of their charters, as would be regarded reasonable for the merchant service, and in this latter respect are understood to contrast favorably with similar charters theretofore made in behalf of the government.

The steam-vessels are divided into two or three classes: the steamships or sea-going; the steam-tug, and those suited and designed for inland navigation. The former were doubtless well adapted to the service contemplated. Of this class were the steamers Illinois, Empire City, North Star, &c. The latter, it is clear, were not well suited to the service required. Of this class were the Niagara, M. Sanford, &c.

In reply to our inquiry whether this class of vessels was fit for an expedition beyond Cape Hatteras, Mr. Haswell stated that "they would be under very favorable circumstances: if they should not meet with bad weather and be so skilfully managed as to take advantage of lulls between blows, and of smooth weather." Commodore Van Brunt stated: "I told Mr. Vanderbilt that these small vessels were not such as I would have selected. If I had had the fitting out of these vessels, I would not have taken any of these small vessels or river steamers."

The selection of such vessels for such service apparently implies a want of that skill and forecast which the government had a right to expect in those who share its confidence and accept places of responsibility. Only one explanation at all relieving this view of the case is suggested, and that springs from the supposed divided responsibilities and duties of the agents under the circumstances. Mr. Vanderbilt undertook to select and charter the vessels: the supervision

and outfit were confided to Commodore Van Brunt, he to avail himself of the assistance of Mr. Haswell.

It needs to be remarked that the destination of the fleet was known only to Mr. Vanderbilt and the commanding general. It would seem to follow that the selecting and chartering of the vessels would be done with that knowledge which would qualify for, if it did not naturally suggest, an inquiry into their fitness and adaptation; while the inspecting and supervising would take place under circumstances less favorable to such inquiry, and not calculated to provoke it. Mr. Vanderbilt seems to have acted upon the supposition that his duties were performed when a sufficient number of transports had been secured to meet the demands as they arose, leaving the question of seaworthiness, fitness, &c., to those whose duty it was to inspect them, quite forgetful of the essential fact that seaworthiness and fitness would depend in good degree upon the service required—a fact important for them to know. On the other hand, Commodore Van Brunt appears to have contented himself with performing his duty with the light he had, upon the supposition that the vessels had been selected with reference to the service for which they were fitted, without inquiring into the character of that service. Thus it is not difficult to understand how the selection of that class of vessels occurred.

Whether it was not incumbent on Mr. Vanderbilt, who possessed the information, to exercise his judgment of the fitness of the vessels for the service designed, or to impart that knowledge to those whose duty it was to inspect, &c., and whether Commodore Van Brunt, seeing these two classes employed, one of which was unsuited to seagoing, should have applied to the commanding general for the necessary information to enable him to determine the question of fitness, is worthy of serious consideration, for future guidance at least.

Whatever of disaster may be disclosed or peril involved, attributable to this supposed omission, it is but just to say that no suspicion rests upon the rectitude of the intentions of either party. The committee deem it important to call attention to the fact disclosed by this inquiry, and which is not understood to be peculiar to this expedition, that the number of troops placed on board these transports was greatly disproportioned to the number permitted by law in the case of passengers in emigrant vessels. Upon the supposition that the provisions of the law referred to were based upon rules necessary to be observed for the health and safety of persons under such circumstances, it is believed that greater precautions should be observed by those having the supervision of this branch of the service.

In the case of the Niagara, other questions arose, touching the condition of the vessel, the responsibility of the owner for it, the inspection, supervision, and outfit.

She was built for the northern lake service in 1845, and rebuilt in 1849; was employed there as a passenger boat until within the last two or three years, when she was regarded as unfit for use and laid by. In this condition she was purchased by her present owner for about ten thousand dollars, and brought to New York the past season. In July last Mr. Haswell made an examination of her, found

some of her timbers soft, and reported her accordingly to the underwriters. She was chartered by Mr. Vanderbilt, on the representation of the owner that she was "a first-quality vessel," he paying the price for such vessel.

Mr. Haswell states that he made but a partial inspection of her, relying upon the statement of the owner that "he had repaired her to all necessary extent." She left New York on the afternoon of the 14th of December, having on board 450 men of the 50th Massachusetts regiment, with commissary stores and baggage of the regiment, and on the following day, in the forenoon, put into the Delaware breakwater, having encountered, during the night, some difficulty in her smoke-pipe and in the planking of her deck, and the military officers on board protesting against her proceeding further on her voyage. Here she was inspected in her hull by Mr. Zane, inspector for the eastern district of Pennsylvania, who considered her unseaworthy, condemned her as unsafe, and notified the captain not to attempt to proceed on her voyage with the troops. Upon further examination, Mr. Zane stated that "he found her main-deck beams and carlines in bad condition, and rotten." The troops were finally disembarked. The committee can but regard the transaction on the part of the owner of the Niagara as unjustifiable. Of the unseaworthiness of the Niagara, and her unfitness for the service for which she was chartered, there is little room for doubt.

The knowledge of her history, price paid, the partial repairs, the representations of her "quality" when securing a charter, the probable knowledge of the report of the inspector to the underwriters, in July, tend strongly to show the owner conscious of the character of the vessel as subsequently disclosed, and a failure on his part to remember his duty to his country, and especially to the troops who were imperilled in his avidity for the profits of a charter.

It is difficult to perceive how this vessel could have passed the ordeal designed for the protection of the public, consistent with that alacrity and faithfulness in the discharge of duty which the government has a right to expect from those to whom important trusts are confided. The duty of the general "supervision and outfit" was devolved upon Commodore Van Brunt, assisted by Mr. Haswell. He confided the inspection of the vessels to Mr. Haswell, and he, confiding in the representations of her owner as to her condition and state of repairs, made but a partial inspection of her. It may well be doubted whether the responsibility that attached to the special trust of Commodore Van Brunt could be wholly devolved upon another, and also whether the duty implied in the employment of Mr. Haswell could be properly waived on the representations of the owner of the vessel. That there was in this case a misconception of duty, at least, in allowing the Niagara to proceed on her voyage with a large number of troops and stores on board, is quite apparent; also from the character of the report of her by Mr. Haswell to Commodore Van Brunt, in which the word "fair" is used in relation to her "condition and seaworthiness," in contradistinction to "good" in other cases.

The act of Congress of 12th of February last contemplates the detailing of "three competent naval officers for the service of the War Department in the inspection of transport vessels." It was obviously the design of this enactment to secure to the government the services of persons who should be responsible to it by official relation. Its importance is illustrated in this instance in the employment of Mr. Haswell, instead of detaching an engineer and constructor in the naval service, who would share the responsibility with Commodore Van Brunt.

Although absolved from the obligations of the charter, the government may not be indifferent to a transaction so detrimental to the public service, the tendency of which is so fatal to the success of the efforts it is making to vindicate its authority against the assaults of open enemies.

The owner, it cannot be doubted, is fairly chargeable by the government with the damages consequent upon delay, disembarkation of troops, &c., not to mention the more weighty consideration of the exposure of the troops and hazards to the expedition.

There is discoverable from the facts elicited in this inquiry a practice supposed to have obtained to some extent in this class of transactions, greatly to the prejudice of the government, detrimental to the service, and of evil tendency every way, namely: the intervention of middle-men—sort of self-constituted and officially unrecognized agents—between the government agents and the owners of vessels, by which competition is prevented and a commission imposed upon the owner. In all such cases the government suffers in two ways: by being deprived of the competition, without which the rates must always be more or less arbitrary, and by being compelled to bear a portion, at least, of such imposition on the owner. All needful precautions seem to have been observed in this instance by the government for its own protection and that of the ship-owners. The contracts for transport vessels were to be effected by Mr. Vanderbilt, who voluntarily undertook this service without compensation, actuated by a desire to aid the government. He states that "he did not employ any broker," but "endeavored in every case to deal directly with the parties." To aid him he employed Mr. T. J. Southard, recommended to him as "having had experience in fitting up horse ships," and who had an interest in several ships which he was desirous of chartering. In regard to Mr. Southard's employment, Mr. Vanderbilt states: "I said to him, 'I want you to understand that I feel a strong interest in this controversy that we have got into, and I feel it to be a duty to my country to do it all the service I can. I am going to do it voluntarily, without any pay. How do you feel on that? We ought to find patriotism enough in our country to do something for it, without everybody making money out of the funds of the government.' He says: 'I will give my time to government, without any pay, to help you with this thing. There will be no commission nor anything of the kind charged.' Now, whether he has conformed to that, is for *him* to answer."

Mr. Southard's statement of his employment is in harmony with the above.

Now, it will be seen from the testimony of Mr. Southard and that of his son, that a commission of five per cent. in most cases, and of six and a quarter in the other cases, was exacted from the owners of the vessels chartered. It is assumed that it was a commission to the firm of "Southard, Wright & Hussey, ship-brokers;" but Mr. Southard, of that firm. the son of T. J. Southard, states that "the owners offered their vessels through my father, and he took them through us; don't know why it was so done. I received the commission money, and gave receipts in the name of my father."

There is little evidence to justify such assumption, and the committee are compelled to regard the transaction in relation to the commissions as the act of T. J. Southard, in no essential particular relieved by the manner in which it was effected. He must be regarded as the agent of the government, bound to respect its faith and honor, and to deal with those who had business with it as becomes the character of the nation. It is needless to add that to require the payment of commissions by those who offered their vessels was to violate the express stipulations of his employment, and would have been equally a violation of the policy of the government in the absence of such stipulation. The imposition of the commission was wholly unauthorized by any facts known to exist, paid without consideration, and should be refunded to the owners where received, and retained by government for the owners in cases where payment has not been made. The transaction is clearly within the intent of the act of Congress of July 16, 1862, to prevent officers of the government from taking considerations for procuring contracts.

The terms of the charters of the steam-vessels are understood to compare favorably with those effected by the government in similar transactions. But it is undoubtedly true, as a general proposition, that higher rates are demanded and paid for government service than are received in the ordinary employment of such vessels. This is attributable, doubtless, in part, to the character and conditions of the service and the demand created by the new and additional employment, but, in the main, is the result of the method pursued for procuring the charters, which has had the effect to shut out competition. The remedy suggested, and to which much importance is attached, is that of inviting competition, giving the ship-owners of the country an opportunity to make proposals, without instructions of government agents, and an enforcement of the law which imposes fine and imprisonment upon those in the employment of the government who for a consideration, procure contracts of any description.

The committee report the following testimony.

TESTIMONY

TAKEN BEFORE

THE SELECT COMMITTEE

APPOINTED

By virtue of a resolution of the Senate of the United States adopted December 22, 1862, *and also a resolution adopted December* 23, 1862, *to inquire into the manner of the employment of transport vessels for the Banks expedition, &c.*

WASHINGTON, *Saturday, December* 27, 1862.

Lieutenant Colonel JOHN W. LOCKE, being duly sworn, testified as follows :

Examined by the chairman.

Question. State your name, age, residence, and occupation.

Answer. My name is John W. Locke ; my age is thirty-one years ; my residence South Reading, Massachusetts ; I have been lieutenant colonel of the fiftieth regiment of Massachusetts volunteers.

Question. State whether you, with your regiment, or part of your regiment, recently embarked on the transport ship Niagara. If so, from what port?

Answer. We went on board the steamship Niagara on Friday, December 12, between the hours of three and four o'clock in the afternoon, at New York.

Question. What part of your regiment went on board the Niagara?

Answer. Companies B, C, D, F, and G, making about four hundred and fifty men.

Question. Who had command of the vessel?

Answer. Captain John Dorry.

Question. How soon after you embarked did she sail?

Answer. We sailed not many minutes from two o'clock Sunday afternoon.

Question. Detail, if you please, what occurred during your voyage, from the time you left the harbor of New York, and while you were on board the Niagara.

Answer. Perhaps it would be proper for me to first state that six companies were ordered to go on board ; but we protested against more

than five companies going, and the captain of the ship said if the other company was coming aboard he would not go to sea. Consequently, the colonel called on General Andrews, to whom we had to report, as we were under his command, and told him the circumstances, and he sent him down to Commodore Van Brunt. Commodore Van Brunt went aboard, and decided that we must go aboard, but he did not think there ought to be more than five hundred men put on her. Consequently they ordered back one company—company H—which is now in New York. The captain of the boat refused to take all our baggage on board, and that was sent and put on board of another ship. After we started from New York, we experienced very pleasant weather indeed. About midnight I woke up, and I noticed that she was laboring very heavily, and seemed to make but very little headway. I think she stopped once or twice in the night, not because there was any trouble, but to get soundings, or something of the kind. But I noticed that, although it was very smooth, when she went down into the trough of the sea she was very sluggish to gather herself again, and rather worked down on one side—the port side, I think. I am not versed in these things, but I think it was on the port side. Some time in the night—I cannot state distinctly at what time—there was a little sea, or wave, came and hoisted up three planks right abaft the wheel, and in the morning we discovered the decayed timbers under there; and I think she took in two or three hogsheads of water in the bow, from what cause I could not say. When we got up, about eight o'clock in the morning, I went out, and saw she was putting towards land. I inquired where we were going to, and some one told me the captain was putting into Delaware breakwater. I asked for what cause, and he said the steam-pipe blowing off had burst, and it would be necessary to make some port for repairs. I understand since then that the engineer reported to the captain, just before going into Delaware breakwater, that, so far as he was concerned, he could proceed; that is, he had so repaired the engine that he could proceed on his voyage. At any rate, she went in there and anchored. Before we got into the breakwater, there was some waste caught fire that had been thrown down around the smoke-pipe. The captain of the ship asked our major, he being the handiest man to him, to bring some water to him to put it out. I don't know as this fire endangered anything, as they put it out; but if it had been in the night, I don't know what would have happened. He brought the water down, and they put the fire out. After we anchored in Delaware breakwater, the colonel of the regiment, I think, asked the captain what made her lean over so on her port side, and he said (I don't know as I am correct as to the term) that the spawning or sponsiling, which is put on the side to make it more binding, had got to leaking. That was supposed to be air-tight, but it had got filled with water. I do not know it to be a fact, but I suppose that they put in there on account of repairing that, or getting the water out. While we were lying there one company of our regiment was down in the hold. There was just room enough for them down there. After they discovered these rotten

timbers where the waves took off the three planks, that made them look down below. One of company B's men tore off a little of the casings, and when he tore it off he just stuck his finger right up into the beam. I here present to the committee a specimen of the wood in the timbers. [Presenting a number of fragments of rotten wood. Most of these pieces are from one of the main timbers. I present this as part of my testimony. The surgeon of the regiment took that piece out [indicating a piece] and handed it to me. I have seen similar pieces, and have taken them off myself.

Question. Is that a fair specimen of the timbers of the ship?

Answer. Yes, sir; I should think it was.

Question. (By Mr. Kennedy.) Was much of that exposed?

Answer. It was all cased over. These timbers, running across the ship, were cased over and painted.

Question. With fresh paint?

Answer. It looked new. I was struck with the newness of the paint. They went to the ends first, where they ripped off the casing, and there is where they saw this rotten wood. Company B's men being in the hold, discovered these rotten timbers, and reported to the captain, and the captain to the colonel. The colonel went down and made an investigation, and he found four timbers at that time decayed. He came up and had a consultation with the major and surgeon of the regiment as to what was best to do. After we went in, we called two of company B's men who were in the hold, one of whom has been mate on a ship, and the other master of a vessel. We put them on their oath, and they testified. They said, without being biassed by any remarks made, that they did not consider her a seaworthy ship. Colonel Messer, the colonel of the regiment, took Captain Dorry down and showed him some of these timbers, and asked him if he knew anything about it. He said, "Upon my word as a gentleman, I never knew of this. I never knew it was rotten."

Question. Where were you when this was discovered?

Answer. At Delaware breakwater. We had put in.

Question. (By the chairman.) Was it smooth and pleasant weather during the whole of your cruise?

Answer. Yes, sir; very pleasant weather and a smooth sea—remarkably so. There was no blow and no rough sea at all. We made but little speed—only about five miles an hour, according to the statement of the captain of the distance. We had been twenty hours, within a few minutes, going about 100 or 110 miles.

Question. Describe the kind of wood in those timbers. Is that piece a characteristic sample?

Answer. Yes, sir; as far as I have seen. I have seen four, and I will take my oath that that is a fair report of the four I have looked at. They were four of the main timbers that run across the ship. I cannot say how many more there are.

Question. (By Mr. Kennedy.) Had you much trouble in getting it apart, or did you take it out with your hands?

Answer. You could take it out with your hands just as I can take

this piece apart now, [separating it into pieces.] That wood, you can see, is very rotten.

Question. Can a man crumble it in his hands?

Answer. Yes, sir; [crushing a fragment into small pieces.] You see how I can break it to pieces. I took hold of one of the timbers when I went down to make the examination, and took a piece right out. While we were at Delaware breakwater, I should state that, after making the examination, and finding she was so decayed, the colonel, myself, the major, and the surgeon were together three or four hours, and we concluded to protest against going to sea in the steamer, and we did so. We protested in writing to General Andrews, and ordered Captain Dorry to proceed to the nearest port, which he did; that was Philadelphia.

Question. Did you notice any of the other timbers of the vessel besides these main timbers on the lower deck?

Answer. I have not, particularly. I have not taken pains to look it over. These specimens were from the main timbers of the ship.

Question. (By the chairman.) Do you consider that that vessel was utterly unseaworthy, even in clear weather and a smooth sea?

Answer. I do, sir, with the cargo she had on board. Perhaps it would be proper to state here that our colonel was very much opposed to going aboard, and verbally protested to General Andrews against taking his men aboard of her.

Question. (By Mr. Kennedy.) Did he know the condition of the ship?

Answer. Some of our friends were in New York at the time; one man, who had been a ship-owner for many years, said: "Colonel, I suppose you have to go in that ship; but it is my opinion that every one of you are going right into your coffins." He had owned and sailed ships.

Question. What did General Andrews reply?

Answer. He said, as he had not the chartering of the ships, he should refer him to Commodore Van Brunt or Commodore Vanderbilt.

Question. (By the chairman.) Did he call upon the commodore?

Answer. Yes, sir; and Commodore Van Brunt went on board the ship.

Question. Did Commodore Van Brunt pronounce her seaworthy?

Answer. Yes, sir; I think he did; but he said he would not have more than 500 men put on board of her.

Question. Do you know whether Commodore Van Brunt examined the vessel?

Answer. I do not know, sir; I think a man named Haswell inspected her.

Question. He inspected the engines. Did he inspect the ship?

Answer. I cannot say.

Question. Who is the owner of the Niagara?

Answer. A man named Richardson is reported to be the owner. I suppose he is. He has been in Philadelphia. He is in New York now.

Question. Where is the Niagara lying now?

Answer. She is lying close to the navy yard in Philadelphia.

Question. When did she get to Philadelphia with your part of the regiment?

Answer. She arrived off the navy yard on Monday, the 15th day of December; about half-past four or five o'clock she dropped anchor, having been ever since five in the morning getting up there.

Question. (By Mr. Kennedy.) Was it the general impression in New York when you sailed that this ship was entirely unseaworthy?

Answer. It was by many of our friends. I do not say how many, but it was by a great many people.

Question. Were they people connected with shipping who entertained and expressed that opinion?

Answer. Yes, sir.

Question. (By the chairman.) Do you know how the Niagara has been employed heretofore?

Answer. I do not.

Question. Do you know how old she is?

Answer. I could not swear positively, but I think she is about eighteen years old. I think it appears in the inspector's report that she was built in 1844. The date on the engine is 1849, but I think the ship was built in 1844. I would not swear positively as to that fact.

Question. Do you say, that after you reached the Delaware breakwater, the officers of the regiment entered a protest against proceeding to sea?

Answer. I have a copy here of the protest by the officers of the regiment. After deliberating on the subject, and taking the testimony of these two gentlemen of whom I have spoken, we made out the protest, and you will see by the protest the points touched upon in it—the unseaworthiness of the ship, and also what the mate and the pilot said. The protest is as follows:

SIR: After we left New York we experienced very pleasant weather during the afternoon and night. Saturday, December 13, with a very smooth sea, all quiet and calm, notwithstanding which the *Niagara* behaved very badly—a smooth sea knocking her deck plank off and showing rotten timbers. She also took so much water into her spoontoons that she would not make five knots the hour. We have also had the ship on fire, which perhaps did not endanger the safety of ship, passengers, or cargo. We also found the hull to be rotten; and after taking the testimony of two men—one of whom has been master of a vessel, the other a mate of a ship—they saying the vessel is wholly unseaworthy.

Further, the first officer and the pilot of this vessel say she is unsafe to go to sea with her present cargo and passengers, after finding, as they do, her main timbers to be rotten.

This difficulty was discovered after she put into the *Delaware breakwater*.

Under these circumstances, we felt, in justice to ourselves and men, that we protest against going to sea in this ship.

Dated at Philadelphia, board steamer Niagara, December 15, 1862.

Signed by—

C. R. MESSER, *Colonel.*
J. W. LOCKE, *Lieutenant Colonel.*
JOHN HODGES, JR., *Major.*
WILLIAM COGSWELL, *Surgeon.*

Brigadier General ANDREWS,
Commanding Rem. Banks Expedition, New York.

Question. Was this protest presented?

Answer. When we dropped anchor there the colonel detailed me as bearer of despatches to New York to carry the protest to General Andrews, which I did. I went on Monday night and came back Tuesday. On Wednesday the inspector of hulls and inspector of engines came on board, and said they should condemn her. Mr. Zane, inspector of hulls, came there, and called for Colonel Messer or the captain of the ship first. I did not learn distinctly as to that, but at any rate, he did not go down below. He said he should condemn her; he had seen enough of her. The colonel wanted him to go down and look at the timbers. He said he would if it would be any gratification to him. He looked at one and said, "My God! I have seen enough. She can't leave this port with her present cargo and passengers, and I doubt whether we shall let her go without any freight or passengers." I have here a statement that Captain Dorry made when the colonel called him into our state-room. It was made in my presence and Colonel Messer's. Captain Dorry said, in our presence, if, when he opened his orders, he found she was ordered to certain places he knew of, he would not go in the ship. He made that statement without any qualification. Captain Dorry is the captain of the vessel. He had sealed orders, and was not to open them until we had made 24 hours. But we had not been out 24 hours, and consequently he could not open his orders, and he did not know where he was going. The pilot said he had made every light and should if he proceeded on; he made every light on the coast, keeping right in close to the shore all the way.

THE CHAIRMAN. (To the witness, who was picking the specimen of rotten wood apart.) Do not pick that to pieces, as we shall want it.

WITNESS. I will not. Mr. Richardson, when the men were taking out these rotten specimens, said he did not want his ship torn to pieces.

Question. What steps have been taken, if any, to move your regiment from Philadelphia towards its original destination?

Answer. Mr. Bloodgood, a gentleman in Philadelphia, received a message—

Question. A telegraphic despatch?

Answer. I can't say whether the first was a telegram or a letter that he received, asking him whether there were any ships in Philadelphia that could be chartered to take us off. He telegraphed back that he

ad taken the colonel, lieutenant colonel, and officers of the fiftieth Massachusetts to see the ship Frank Bolt, which could be chartered t a very low rate. He also went and looked at two different barks, ut the ship could be chartered for less than one of the barks. He onsidered it a very nice bargain—a nice ship. She had only been uilt two years, and was a very fine ship. He asked us how we liked er. We said we would be well satisfied to go in her. He told me hat he had telegraphed to Commodore Vanderbilt; that he had examined the ship, and found her everything that was needed. He said n the close of his telegram, "Shall I close the charter?" Commodore Vanderbilt telegraphed back, "You will not close the charter until you hear from me by letter."

Question. How soon would the boat have been ready for sailing had he been chartered?

Answer. Mr. Bloodgood said she should be ready for us to go aboard on Tuesday. We arrived Monday, and the Tuesday of the next week we could have gone. That would be Tuesday of this present week, December 23.

Question. Do you know at what rate Mr. Bloodgood could have chartered the boat?

Answer. I could not state, but it was a very low rate. Mr. Bloodgood said he did not believe they could charter a boat in New York for anything like the money they could get her for.

Question. Has any other ship been chartered for your transportation?

Answer. There has been another ship chartered in New York.

Question. What ship?

Answer. The ship Jenny Lind.

Question. What is her age?

Answer. Thirteen years.

Question. Has she reached Philadelphia?

Answer. She has not.

Question. Is she coming?

Answer. She is expected there every day. She was to sail last Monday night. We had one company (company H) left in New York, and they were to go aboard of this ship and come around and join us. I was in New York on Monday to carry this despatch to General Andrews, and about three o'clock company H marched down aboard of her.

Question. Who is furnishing the Jenny Lind to the government?

Answer. I do not know, sir. I heard the name, but I cannot tell it now, sir.

Question. Are the troops willing to go on board the Jenny Lind?

Answer. They have not said. They are men that do as we command them, and go where we tell them to. Secretary Stanton telegraphed to the quartermaster, Captain Boyd or Colonel Crosman, I do not now know which, but Captain Boyd showed me the telegram; he telegraphed to furnish us with a good sea-going steamer.

Question. Why did not Captain Boyd comply with that order?

Answer. There was no suitable steamer in Philadelphia. He showed

me the despatch Saturday; he said one would arrive Monday. When Monday came he received a despatch that Commodore Vanderbilt had chartered the Jenny Lind, and they would go in a sailing ship.

Question. When was your regiment mustered into the service?

Answer. Eight companies were mustered in, by companies, on the 19th day of September; two companies were mustered in afterwards; I cannot tell the date. The field-officers were mustered into service on the 11th day of November.

Question. Is your regiment composed of nine months men?

Answer. Yes, sir.

Question. You will have only about four months of service?

Answer. I don't know about that. If it takes as long for that ship to go to Ship island in proportion as she has been in coming from New York to Philadelphia, we will not have that much time.

Question. During the voyage on the Niagara, did you notice that every now and then she made a squeaking?

Answer. Yes, sir; it seemed as though she was going to split right apart. The colonel, who was in the same state-room with me, heard it, and remarked: "The old hulk is not going to pieces now, is she?" He wanted to know what made her make such a noise or squeaking.

J. W. LOCKE,

Lieut. Col. 50th Regiment Massachusetts Volunteer Militia.

SATURDAY, *December* 27, 1862.

Captain S. W. DUNCAN, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your name, age, residence, and occupation.

Answer. My age is 24 years; I reside at Haverhill, Massachusetts; I am captain of company F, 50th regiment Massachusetts volunteers.

Question. When did you first see the steamship Niagara?

Answer. I saw her first the week previous to our sailing in her. which was on the 13th. The Saturday previous to our sailing in her I went to visit the vessel.

Question. Did your company sail in her?

Answer. Yes, sir. I went aboard with my company on Friday afternoon, in connexion with the other companies, and remained on the boat until the next morning. I did not make the voyage with them, but came on to Philadelphia with Colonel Locke when he returned from his visit on Monday, the 15th.

Question. Did you know anything of the character of the Niagara when she lay in New York. before the regiment embarked on her, as to her seaworthiness?

Answer. I had heard her merits discussed, and for that reason I went to see her myself. My own impression of her was that she was an improper vessel to go to sea. She was built for lake service, and even if perfectly sound, she was not proper to go to sea at this time of the year. I got a friend of mine, Captain George Willis, who has been a master of first-class ships, and made many voyages around the

world, to go and see her. He went up to see her the same afternoon I did, and looked her all over thoroughly, and pronounced against her. He said, supposing we were to have smooth weather, he might, perhaps, think that we could get to Fortress Monroe without danger, but on no condition whatever would he be willing to go around Cape Hatteras with her, and he would be unwilling for me to risk my life in her around Cape Hatteras. That opinion was based upon his inspection, without knowing the rottenness of her timbers, simply from her general construction and her model. She is a lake steamer.

Question. Do you know whether any of your officers remonstrated with their superior officers against embarking in the Niagara?

Answer. Colonel Messer told me he had made a verbal protest against embarking in the vessel, to General Andrews.

Question. Do you know what was the result of that protest?

Answer. He told me that at first he hoped he should be successful in changing the vessel, but afterwards he said that General Andrews had sent Commodore Van Brunt to inspect the vessel, and he had decided that 500 men should go to sea in her. He said then that he supposed there was no appeal from that decision.

Question (By Mr. Kennedy.) Do you know that Commodoer Van Brunt inspected this vessel himself?

Answer. I only know it from what I have heard. He went aboard of the vessel. Whether he made an inspection or not, I cannot say.

Question. (By the chairman.) You say you came to Philadelphia with Colonel Locke, when he returned after delivering the protest of the officers of the regiment against proceeding to sea from the Delaware river in the Niagara?

Answer. Yes, sir.

Question. State, if you please, the developments that were then made; and what was the condition of the vessel when you reached her in Philadelphia?

Answer. When I reached her in Philadelphia the first thing that attracted my observation, as I went aboard of her, was the aspect of several planks torn up on one of her guards, just abaft the wheel. Then on going into the hold, there were these rotten timbers, where the casing had been torn off, and where the examination had been made by the field-officers, Colonel Messer and the surgeon, that had revealed the rottenness of the vessel.

Question. Describe those beams.

Answer. After seeing it then, I took particular pains yesterday to make a second minute examination of the condition of these timbers. I went down into the hold yesterday afternoon and examined the timbers again. The first I came to were two main timbers. One of them was where the casing had been torn off for about two or three feet from the side of the hull in towards the centre of the vessel; and these timbers were so rotten that in one of them I pushed my fingers into the timber as though it was soil or mere earth, not wood at all; the decay had reached to such an extent as that. That, I think, was the worst timber I saw. I counted four other timbers.

Those are the main timbers. One of these timbers was one of the largest timbers in the vessel, to which the knees that bind together the vessel were attached. The oak knee was in perfect condition, but underneath this knee the timber was so rotten it could easily be torn away with the hand. Three of the timbers that I saw were rotten at both ends. The casing had been torn off on both sides of the vessel, and both ends of the timbers presented the same aspect. One of them had been torn away entirely, so as to disclose the planking nailed on above—the deck planking. It was torn entirely away, and there was nothing but the deck boards nailed on above—torn away by the hand. Other timbers were rotten where they were mortised into the sides of the vessel. The mortise was rotten. I counted, in all, five timbers in different stages of rottenness—from what I have described to a condition of decay not so far advanced. That specimen here is a fair sample. There is some much more rotten than that.

Question. That is so rotten that a man could kick it to pieces with the heel of his boot.

Answer. Yes, sir; you can easily crumble it to powder in your hands; but some were so rotten that I could press my hands into them.

Question. All the strength there was connected with these timbers was furnished by the plank attached to them?

Answer. Yes, sir; I think so.

Question. What had they resorted to in order to cover up these defects from observation?

Answer. The timbers were cased over with a deal casing of pine deal about half an inch thick, and coated with a heavy coat of white paint, which constituted the finishing of that part of the steamer. They appeared to be only cased timbers, presenting a fair aspect—simply handsome paint.

Question. Did any of them have the appearance of the paint having been taken off to examine by the inspector?

Answer. I should judge not. I judge that the inspectors never removed the casing of a single timber.

Question. Who is the owner of the Niagara?

Answer. I heard Captain Dorry say she was owned by Mr. Richardson, of New York.

Question. Do you know who chartered her?

Answer. I do not.

Question. Do you know at what rate she was chartered?

Answer. I heard the terms stated at $10,000 a month, and coal found by the government. I heard also the statement made that Richardson only paid $9,000 for the vessel.

Question. Do you know how old she was?

Answer. I saw the statement that she was built in 1844. I would not swear to it, but I think I saw it in the inspector's report in the histories of the vessels given in the newspapers. I was in New York when the report came that she had put into Philadelphia; and then many that I knew expressed themselves that that was just what they expected, and one gentleman said, "I made a voyage on that boat

when I was a little boy, on Lake Ontario." In a conversation I had with Captain Willis, spoken of above, who had made an examination of the vessel, he said the only thing that reconciled him to our going to sea in her was, that we should keep close to shore between there and Fortress Monroe; otherwise he should remonstrate much more than he did. But Captain Ward, in a conversation I had with him, reposed his confidence in the regard he had for the captain, or the confidence he had in the captain. He said the captain was a thorough seaman, and would take care of his men and the vessel if possible.

Question. Have you seen Mr. Richardson, the owner of the vessel, since?

Answer. Yes, sir; I saw him on board the boat on the evening of Thursday, I think, the 17th. I discovered decay in other parts of the vessel besides those main timbers. For instance, the water-closets on the upper between decks. There is one of the timbers there, where the casing has been ripped off, that reveals this rottenness. It is on the deck above this. Then, on the railing around the upper deck, some of the posts there are rotten, and I noticed one of the upper deck planks was rotten in the same way, which shows that the rottenness is not confined to one portion. The model of the vessel unfits her for a sea-going vessel.

SAMUEL W. DUNCAN,
Captain of Company F, 50th Regiment.

NEW YORK, *Tuesday, December* 30, 1862.

CORNELIUS VANDERBILT, being duly sworn, testified as follows:

Examined by the chairman.

Question. Commodore Vanderbilt, state, if you please, your residence and employment.

Answer. I live in New York, and am connected with shipping. I run steamship lines; some would call me a merchant.

Question. State what connexion you had with procuring transports for the Banks expedition.

Answer. I was verbally authorized by Mr. Stanton. Mr. Stanton asked me if I would aid in fitting out the expedition of General Banks. I told him I would; that he was at liberty to use me in any way that he saw proper, that was honorable, for the benefit of this government; always bearing in mind that I was to receive no pay for anything I did in any form.

Question. Can you furnish to this committee a list of such vessels as were procured by you, or under your direction?

Answer. Yes, sir. I thought it might save a heap of trouble, and I have got it here. I make this paper a part of my testimony. It is as follows:

The following 14 vessels to furnish their own coal:

Name of vessel.	Tonnage.	Rate of charter per day.	Who chartered of.
Steamer Illinois	2126	$1,250	Marshall O. Roberts.
Steamer Empire City	1754	1,000	Do.
Steamer North Star	1867	1,200	Atlantic and Pacific S. S. Line.
Steamer Northern Light	1761	1,200	Do.
Steamer Chi Kiang	1250	1,100	J. M. Forbes & Co.
Steamer M. Sanford	900	950	James P. Sanford.
Steamer New Brunswick	850	900	International S. S. Co.
Steamer Eastern Queen	700	900 for 30 days, 800 for balance.	A. B. Vannevar, agent.
Steamer Honduras	376	400	S. H. Ackerman.
Steamer Niagara	-------	----------	A. J. Richardson.
Steamer Merrimac	2000	1,200	John H. Foster & Co., agents.
Steamer Mississippi	2000	1,200	Do.
Steamer Continental	1623	1,100	Ocean Steam Navigation Co.
Steamer Mary A. Boardman	400	450	Aymar & Co.

The following 12 vessels to find their coal for twenty days, after which government is to coal them:

Steamer Quinebaug	300	250	Horace Whitaker.
Steamer Shetucket	300	250	Do.
Steamer Charles Osgood	300	250	Do.
Steamer James S. Green	350	250	Thomas Clyde.
Steamer Quincy	400	300	James S. Whitney.
Steamer Saxon	458	300	Do.
Steamer Salvor	500	450	Thomas Clyde.
Steamer Haze	291	250	Charles H. Mallory.
Steamer Prometheus	664	450	E. A. Souder & Co.
Steamer Albany	250	250	C. W. Kenworthy.
Steamer Jersey Blue	250	250	Do.
Steamer Cumbria	477	450	E. A. Souder & Co.

List of vessels chartered, &c.—Continued.

Name of vessel.	Tonnage.	Rate of charter per month.	Who chartered of.	Length of charter.	Place of discharge.
Ship Amazonian	500	$4 00 per ton.	D. E. Mayo	60 days.	At any port.
Ship T. J. Southard	1081	4 25 do.	J. T. Harvard	3 months.	At New York.
Ship Moro Castle	523	4 50 do.	L. R Ross	3 do.	Do.
Ship Sparkling Sea	893	4 00 do.	A. C. Walsh	3 do.	At any port.
Ship Jenny Beals	1094	4 00 do.	John Crocker	3 do.	At New York.
Ship Olamon	780	4 00 do.	John H. Stuart	3 do.	Do.
Ship Theobald	836	4 00 do.	George H. Theobald	3 do.	Do.
Ship Pocahontas	1088	4 00 do.	Benjamin Delano	3 do.	At any port.
Ship Lucinda	838	4 00 do.	Thomas Smith	3 do.	Do.
Ship Wizard King	1398	4 00 do.	J. A. Cobb	3 do.	At New York.
Ship Aquila	1119	4 00 do.	David Oliver	3 do.	At any port.
Ship Windemere	1107	4 00 do.	David J. Harding	3 do.	Do.
Ship Montebello	1149 72/95	3 75 do.	Dunbar Henderson	3 do.	Do.
Ship William Woodbury	1091	3 75 do.	William Leavitt	3 do.	Do.
Ship J. Morton	1149	3 75 do.	L. W. Gilley	3 do.	Do.
Ship International	1000	4 00 do.	Nathan L. Seavey	3 do.	Do.
Ship Planter	1905	3 75 do.	Abm. Bell's son	3 do.	Do.
Ship Alice Counce	1156	3 75 do.	William J. Singer	3 do.	Do.
Ship Jenny Lind	620	3 75 do.	J. E. Eaton, jr	3 do.	Do.
Ship Constellation	1568	3 75 do.	Charles Carow	3 do.	Do.
Ship George Peabody	1397	3 75 do.	William F. Weld & Co	3 do.	Do.
Ship L. L. Sturgis	1150	3 75 do.	Sturges, Clearman & Co	3 do.	Do.
Ship Belle Wood	1396	3 75 do.	John A. McGaw	3 do.	Do.
Ship Undaunted	1370	3 75 do.	William H. Foster	3 do.	Do.
Ship William F. Schmidt	775	3 25 do.	Charles Carow	3 do.	Do.

Question. Did you charter these vessels directly, or through an agent or broker employed by you for that purpose?

Answer. I did not employ any broker. I chartered, as I supposed, these vessels from the owners or the representatives of companies that some of the vessels belonged to. I endeavored in every case to deal right directly with the parties, sir. I was particular to get their names at the time, and I have put the names of the parties there; that is, as regards the steamers. I will also tell you what I did with the sailing vessels. The first intimation I had in regard to any sailing vessels was I got an order from General Banks to furnish transports for so many horses. I turned that over in my mind and made up my mind that it was the best way to charter sailing vessels. The steamers were about all taken up and hard to procure; I so stated to General Banks. There was a man from down east came to me with a letter of introduction from General Banks; that man I talked with; he also had a plan, which he exhibited to Colonel Holbrook. He presented this plan of how a horse-ship should be fitted up for the transportation of horses. It seemed he had fitted out a number of expeditions, but I did not know it; I did not know the man then. This was represented to me as a very good plan. When he gave me this letter of introduction from General Banks I talked with him, and I found he understood more about a horse-ship than I did, a heap more. He said he had been in it a good deal in his life, fitting up different horse-vessels for the West Indies, &c. I thought "This is just the man I want, because this is an expedition of some length and it wants to be well done." I had a large quantity of applicants of vessels lying on my desk, applications by the owners of different vessels. I selected out of these vessels those I thought were of the most profitable tonnage for us to employ. I fixed a price in my own mind, a price of what each of these vessels were worth. I gave this man these prices, and said, "I want you to go and see if you can procure these vessels for those prices." His answer was that it was too low; that I did not put the price high enough; that he had fitted out some expedition, whether it was Butler's or the one that went to Port Royal I forget, and they had paid five dollars a ton per month for ships. My price was four dollars. That was the price I had authorized him to see if he could get these vessels at, and that was the cause of his reply that it was too low. Said I, "go and try it on." He procured the first one, I think, at four and a quarter. There is a difference, you will discover in reading that list, which I will explain. There is one vessel, the Moro Castle, at $4 50, tonnage 553; she is of small tonnage. I said, "It is as profitable a boat as we can get, we will take her." There is the T. J. Southard, at $4 25. I always looked to the tonnage, because a little vessel carries more in proportion than a big one, of some particular things. Then I put a stop to that, and said, "Four dollars is enough;" and I looked over the rest of this class of vessels, and you will see they are larger. I said "If you can't get them we will get steamers;" he finally procured them. I put it on them to fit them up just as we wanted them to sail, with berths and standees, &c., for horses. He

wed me that he had been accurate and particular. In fitting out other expeditions these outfits had been at the cost of the gov-nent.

uestion. Did the men who made the charter party fit them out?

nswer. I am coming to that. In all that the government char-d before this the government did this fitting out. He showed that a good many of these things had been done down in Boston. s Mr. Southard was one of the smartest men I have met for this g. When I commenced to talk with him upon this subject I said im, "Mr. Southard, I want you to understand that I feel a strong rest in this controversy that we have got into, and I feel it to be ity to my country to do it all the service I can. I am going to do oluntarily, without any pay—how do you feel on that?" He d a little while, and I said to him, "Think it well over; we ought nd patriotism enough in our country to do something for it with-everybody making money out of the funds of the government." said, "I will give my time to government, without any pay, elp you with this thing; there will be no commission or anything he kind charged." Now, whether he has conformed to that is him to answer when he comes before you. Then he went on and cured these vessels. He showed me a statement where it had from $1,200 to $2,000 a vessel to the government in former editions to fit them out. I says, "We are not going into any of ; if I take these vessels they have got to be fitted to transport so y horses without any expense to the government; when we char-them to carry troops, they have got to be fitted up for so many ps without any expense to the government; that is their affair; ey do not choose to charter their ships for these terms let them so and we will not take them." Upon those terms he secured e vessels. I am now speaking of the sailing vessels. After we run along down to four dollars a ton I put them lower. You see uld be idle one day and busy the next. There would come an r from General Banks that he wanted transports for so many es and for so many men; from time to time, as they came along, ould make a selection from these memorandums of ships that I . When a man came in and said: "I want to charter a ship," I ld make a memorandum of it and where she lay, &c. I would up these memorandums and select such a ship as I thought best this purpose, and when Southard came in I would say, "Go and that vessel." Finally, I thought they could be got for less, and it it at $3 75. There was then not a great deal for our commerce lo. In the first part of the arrangement the government was to water and water casks for these vessels; every other fixture was e at the expense of these parties. I found they were giving us onstrous sight of trouble to do that. The way I got into that , the government had a large quantity of empty casks lying about oklyn and around the storehouses. I had ascertained that from quartermaster, and thought we might as well use them as not. I nt on and used them all up before the vessels I had got under con-ct were supplied, and I had to buy a lot more, and they cost 5 or

6 or $7,000. Then I stopped that and said, "I will not bother with this; there are so many applicants that I will make them furnish these themselves." I then went on and made the contracts, (and the charter-parties will tell exactly how they were made,) that they should furnish the water and the casks for such a number of troops at their own expense. About the same time it got down to $3 75 instead of $4 per ton per month, the charters to run three months. A great many of the charter-parties of these vessels leave it optional with us to discharge them at any place we are a-mind to within the three months. I thought I would rather take that chance after I got into it, and dismiss them wherever I pleased, than to take the chances of delivering them at home; even if we took them for only forty days, it was better for them to take the hazard of getting home.

Question. I understand, then, that the parties who chartered the vessels did all this furnishing?

Answer. Yes, sir.

Question. Did they furnish the navigators?

Answer. Yes, sir; everything of the kind. We had nothing to do with that.

Question. Had you anything to do with the selection of the captains, or anything of the kind?

Answer. No, sir; nor did we run any of the risk of the vessel, except the war risk. If it was taken by a man-of-war we had to pay for it; but not for the risk of the sea.

Question. State, Mr. Vanderbilt, if you chartered the steamer Niagara; if so, what was her tonnage, capacity, age, &c. What do you know about the vessel?

Answer. I know nothing about the vessel, except by hearsay. I never saw the Niagara in my life. I say I never saw the Niagara, but I do not want to appear to try to get out of any responsibility by saying that.

Question. State what you know about her.

Answer. The application for the charter of the Niagara lay there among those of the other steamers. It lay on my desk. The owner, one day, applied for a charter for her.

Question. What was his name?

Answer. A. J. Richardson, I believe. He represented her as a first quality vessel. After he so represented her I spoke to the inspectors. But you have not got to the inspectors yet. There were inspectors appointed by the War Department, as I understood, to inspect these vessels. It may be well for me to say here the way I came into this matter. The Secretary of War telegraphed me to see if I could not come to Washington. I went to Washington. The first time I saw him he intimated something about a quartermaster's position in New York. But I said to him, "We'll stop right there. Mr. Stanton, there is no position in this government that I want, and none that I will take; no place of emolument that I can take." He was delicate on that point and stopped it right there. This was before I saw General Banks. Said I, "Anything I can do for you I am willing to do." *Upon that* we left. This was late in the evening. It was late when I

got there. Says he, "I will come and see you in the morning." Says I, "You need not come; I will come and see you; what time do you get up?" "About nine o'clock," he said. Well, about that time I went up to the War Department. Said he, "I have thought this thing over and made up my mind. Come and get into the carriage." We went out and got into the carriage. We went to see General Banks, and he and General Banks talked a minute or two and called me up. Said he, "This is a secret expedition and no one else is to know it but us three." Says I, "No one will know it from me; I will assure you that." Says he, "I want you to assist General Banks in New York in fitting it out." I said I would do that to the best of my ability. After stating over where the expedition was going we parted. His interviews were short. There was not much to do. We parted with an understanding that General Banks was to leave that afternoon by the afternoon train for New York. I was going on that train, and so we came on the same train. At this interview with the Secretary of War, he said, "I will have the inspectors appointed to inspect the vessels of this expedition." I said, "That is of no use, Mr. Stanton. It don't appear to be of any kind of use at all." "Why?" said he. I said, "Congress has already passed a law that every vessel that clears from a custom-house must have her inspector's papers. There are two inspectors; one for her machinery and the other for the seaworthiness of the vessel, fitness for a voyage &c.; and these papers have to be renewed every twelve months, or else she cannot clear any custom-house Is not that inspection enough for the government for this expedition?" Says he, "I don't know about that. I would like to make this thing doubly sure. There will be no harm in having them doubly inspected." So much for the inspectors. We then came on, and in a very few days Commodore Van Brunt came into the office with a note from General Banks that he was appointed inspector, as I supposed, by the government, to inspect these vessels. About the same time General Banks asked me, "Do you know a Mr. Haswell in New York?" "Very well," I answered; "Charles H. Haswell." "Is he a good man to inspect the machinery, &c., of this expedition with Commodore Van Brunt?" I said. "Yes, sir, as good as you can get." Then he said, "Well, I will employ him." Those two gentlemen acted as the inspectors of these vessels, Whenever I took a vessel I always took it subject to that inspection by these people, who should go and inspect them. If they did not bear inspection, of course the vessels were not chartered. It relieved me from some trouble. When this Niagara came and the men reported her to me, I asked these gentlemen to go and inspect her and see if she was what the man reported her to be; and whether she was fit for this expedition. They did go and so inspect her and reported to me that she was.

Question. (By Mr. Morrill.) Do you know nothing of her?

Answer. No, sir. I never saw her in my life.

Question. Do you know her history?

Answer. No, sir. She was made on the lakes, it turns out.

Question. (By the chairman.) Did Mr. Hassler and Commodore Van Brunt examine, inspect, and report upon all these vessels?

Answer. Yes, sir.

Question. Including the steamers?

Answer. Yes, sir, and sailing ships, too. There was no instance in which they did not.

Question. (By Mr. Morrill.) Did they report in writing or verbally?

Answer. Verbally.

Question. You made no charters except upon what they did?

Answer. No, sir; but they will stand right up to what they said.

Question. Had you anything to do with the stowage of the vessels or determining the number of troops to be put upon particular vessels?

Answer. Yes, sir. We determined the capacity of every vessel. That capacity, of these vessels, was determined by these inspectors, and in no case were they over-rated. Now, I will venture to say that in no case were they over-estimated.

Question. You think you can say that in no case were too many troops put on any vessel?

Answer. Yes, sir, provided they had confined themselves to the troops; because you will find contradictory evidence on that. They will say there were too many. There might have been too many, but why were there too many; because they put other articles on board that they should not have put there. Some person ordered them to be put aboard, but these people could not take them out. In many instances we had to relieve these vessels. They would come to me and say they were too confined. I knew where these vessels were going to and I confined them to a light draft. I did not give the reason to anybody, but that was my own theory. Therefore, I would make up a list of what they should carry, allowing them to come to that draft of water. In many instances these epauletted fellows, as the outsiders call them, would do this. I would ask who ordered it. They would say, some fellow with epaulettes; and it was hard to get along with them. This General Andrews has stopped. He is a gentlemanly, business man. For instance, a vessel was chartered to carry 300 men, with the necessary provisions and water for these 300 men, and nothing more. There have been some instances where that vessel has been so full with stores, jammed in, that she never took a man. But that was the fault of the quartermaster. In other instances, again, we have had to take things out of these vessels. A fellow would come to me about it, and I would say, "Take it out; heave it ashore; go and take all that stuff out, captain; if you will let them stick things in your ship you have got to take them out. You are not chartered for that purpose. Stick to what you are going to do." But sometimes you will come across a captain who will let these fellows overload the vessel. In a number of instances they did so, and we had to put it out. That was the fault of the quartermaster.

Question. Who was the quartermaster who had the general charge and direction of that branch of the business?

Answer. That I do not know myself. There have been three or four acting-quartermasters here since we have been here—four or five of them. You must bear in mind one thing, that is a grade of men you cannot expect a great deal of, in the way of business tact. They are a different kind of men from business men. Some of them are very clever fellows. But as to this man Andrews, when General Banks first came here it was a new thing to him, and he had a monstrous sight on hand. He had a very excellent man with him named Clark, a lieutenant or quartermaster, or something else. He is now with General Banks in New Orleans. I said to him, "Clark, if you were in charge of this, or all the men were like you, we would have had no trouble."

Question. Why is there a blank in this list as to the tonnage and rates charged for the steamer Niagara?

Answer. When she was chartered the charter-party was not made out. She was to receive the same rate of pay, in proportion, as the New Brunswick. That is a similar steamer. She was to receive in proportion to the number she took. They put her down at 600 people. I said immediately, "She will not take that. In order to get at that we will pay you the same amount, in proportion to the business she does and the people she takes, as we pay the New Brunswick." It seems that this boat took 450 men and the New Brunswick took 600.

Question. (By Mr. Morrill.) Were these ships coaled by the government?

Answer. No, sir. They are coaled for 20 days; after that they find their own coal. This paper says, "the following 14 vessels to furnish their own coal." They are to pay for their own coal, but they are to pay New York prices; they have to furnish their own coal wherever the government may take them, but if they are in distant or foreign countries they are only to pay the New York prices.

Question. Had you anything to do with chartering vessels for the Du Pont or Port Royal expedition, or the Burnside expedition?

Answer. No, sir; I had nothing to do with them. This is the first one I had anything to do with.

Question. (By the chairman.) Whose business was it to ascertain whether the men who navigated these vessels were qualified to discharge their duties or not?

Answer. The owners of the vessels.

Question. Neither yourself nor Commodore Van Brunt made any inquiries on that subject?

Answer. No, sir. We did not insure the vessel. They managed their own affairs in their own way. They navigated their vessels at their own risk. If they did not do that according to law they would forfeit their insurance. I think that is the surest way to make them do their duty.

C. VANDERBILT.

NEW YORK, *Tuesday, December* 30, 1862.

GEORGE H. WILLIS, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your name, age, residence, and occupation.

Answer. George H. Willis; ship-master is my profession. I have been in New York for the last year nearly all the time. I have not resided here, but I have resided at Orange, New Jersey, but I have been in the city. I have made it a point to be in town every day.

Question. Are you acquainted with any of the vessels chartered by the United States government for what is known as the Banks expedition?

Answer. I have seen some of them, sir.

Question. Do you know anything of the steamer Niagara?

Answer. Yes, sir.

Question. Do you regard her as seaworthy, or as having been seaworthy at the time she started on that expedition?

Answer. I regard her as suitable for what she was built for—inland navigation. I suppose she was built for that. I should judge from her appearance that she was not intended to navigate on the ocean.

Question. Do you know anything of her age?

Answer. No, sir; nothing more than what I have seen in the newspapers.

Question. How long have you followed the sea?

Answer. Ever since I was fourteen years old, and I am now thirty-seven. I have been constantly at sea, with the exception of the last eighteen months.

Question. Do you believe that a prudent man would send the Niagara to sea past Cape Hatteras or to the mouth of the Mississippi river loaded with passengers?

Answer. No, sir.

Question. Do you regard her as wholly unfit for an expedition of that sort?

Answer. Yes, sir.

Question. When were you last on board her?

Answer. I have a cousin who is a captain in the 50th Massachusetts regiment, which was ordered to go on board her, and he wished me to go and see her lying at pier 51. He had heard bad stories about her, and wished to know my opinion about her. I went to see her and went aboard her.

Question. What conclusion did you come to when you examined her?

Answer. That it was not possible that the government was going to send her around Cape Hatteras.

Question. Was she overloaded?

Answer. Well, sir, the vessel is not suitable to go on such a voyage. My attention was called to the Niagara by the fact of my cousin being ordered to go aboard of her, and I went to see her, and went

over her. I did not go into the fore hold, for I could not; but I went down into the aft cabin, where provisions were stored, or barrels, which I supposed to contain provisions. Then I went on the opposite wharf so as to take a good look at her broadside on. You asked me if I thought the vessel was overloaded. My reason for not answering that is, I consider that a vessel like that is not fit to go outside, either loaded or unloaded. She was not built for that purpose. In speaking of that vessel being loaded or unloaded, or fit to go to sea, I would add, at this season of the year, winter time.

GEO. H. WILLIS.

NEW YORK, *Tuesday, December* 30, 1862.

WILLIAM R. L. WARD, being duly sworn, testified as follows:

Examined by the chairman.

Question. Where do you reside?

Answer. In this city.

Question. Are you familiar with any of the vessels employed by the government as transports for the Banks expedition?

Answer. Yes, sir.

Question. What ones do you know, sir?

Answer. The Niagara, sir; no other.

Question. How long have you known her?

Answer. Three weeks ago last Sunday, I think it was, sir, when she lay at pier 39, North river.

Question. Do you know anything of her history?

Answer. Nothing except what I have seen in the papers, sir.

Question. Were you on board of her on that Sunday?

Answer. No. sir.

Question. Were part of the 50th Massachusetts regiment on her at that time?

Answer. Not to my knowledge. I did not see a living soul on her at that time. I was on the wharf at the time. I was there with my son. I went down with him. My son is a captain in the Massachusetts 50th, and while they were at the Union Course, on Long Island, at their camp, he was frequently at my house. My residence is near Fifth avenue, on west Sixteenth street. He was in the habit of coming in occasionally and passing a night with me. On Sunday it was a clear, cold day. He suggested my going with him to the pier to look at this steamer. He said they were to go on the Niagara. As I have been a seafaring man a part of my life, and have been interested in sailing vessels, steamers, and various craft, he suggested my going down to look at her to see what I thought of her. I then knew nothing of her. I went with him on the wharf about four o'clock in the afternoon, and looked at her perhaps two minutes. That was quite enough to satisfy me in regard to the vessel. I did not go aboard. She was very deep in the water. The pier was covered with barrels apparently destined for her. She was heavily

loaded. I glanced at her bow and stern about two minutes, and was satisfied about the vessel, and declined going on board.

Question. What was the judgment you formed of her?

Answer. That she was totally unfit for transporting troops outside of New York harbor, or any harbor. I then left, and I believe I expressed myself pretty clearly to my son. I told him on my return to my house, after thinking it over, as I did not like to excite any unnecessary alarm in him, though I knew he was slightly acquainted with vessels. I suggested to him and urged him to go out to his company the next morning and see his colonel, and tell him that the vessel was, in my opinion, totally unfit for transporting troops. I knew he was from the interior of Massachusetts, and thought that he was probably unaccustomed to vessels, while I had had a life-long experience in vessels, and knew, perhaps, more on that subject than he did. I told him to ask the colonel to think twice before he took the responsibility of ordering his men on board such a craft as that; that I considered her unfit, and at this time of the year a very dangerous vessel to go outside of the harbor. The next morning (Monday) he went out. About mid-day the colonel, lieutenant colonel, and major, came into my office, on Cedar street, near Broadway. They seemed to be excited. The colonel asked me to give my opinion of the vessel. I did so, in very strong language, perhaps too strong to be reported here; but I told him that if she went on, in my estimation, she would never see port again—that she would prove their coffin. It was my firm conviction. That was the purport of what I said. He asked what I knew of her. I told him I saw her model, and I knew at once that she was an old lake craft. She had two heights of cabins; that is more than any sea-going vessel ever has. I lived on the lakes a good many years, and owned vessels there. I told him he had better take some steps. He asked what steps were necessary—whether he should protest? He suggested that a committee of survey should be called upon her, as he should like to know whether I was right or wrong. He asked if I would act on that board of survey. I said I would, if desired; but, as my son was to go aboard, and I had an interest, I would prefer some one else. I said I would serve, but I was acquainted with many ship-builders and experienced men whose reputation was well established in this city, who could examine her. He expressed himself satisfied, and left my office. I saw nothing more of him. In two or three days my son came in from camp, and told me, to my surprise, that the colonel had not ordered a board of survey, but had been talking with some of the parties, and they had made the rough places appear smooth, and satisfied him; and the regiment was going aboard. I felt very badly about it, but said nothing at the time. On the following Friday, my son told me that they were ordered to go aboard that day about noon. She laid off in the harbor, near Buttermilk channel, just abreast of Hamilton Ferry, Brooklyn. About one o'clock they were to embark. I went down beforehand. The troops marched down and went aboard a tug-boat, to come aboard the steamer. I did not feel satisfied, and took a small boat, which I hired, from the shore, and went in advance about fifteen

minutes. The colonel and field officers went aboard. I took a survey of the vessel generally, down and up, and all over, and was satisfied that she was a good deal worse than I first thought her. When my son came aboard, his was the flank company; he came aboard first with his men. I don't know whether I told him to put his men down below in the hold, or not, but I think I suggested it; but I was a good deal excited. At any rate, he took his men down into the hold. There were berths fitted there. It was a hard place to put men into. The floor was covered over with barrels, and you could not stand erect, of course, as the height was not great enough. Around the skin of the vessel were rough berths, and in the centre were two rows of berths built up, calculated to hold three men. He put his company there. Forty-odd of his company were seafaring men, raised in Massachusetts, who knew what vessels were. The stowage I thought rather hard. After getting his men placed, he came on deck and said, "Father, my men are very uneasy. You know I have over forty old sailors in my company, and they say the deck beams have started four inches on the side. I wish you would come down and look it over." I said, "No, I have seen enough; it makes me sick. But you are in the scrape, my son, and you must go." But I finally went down with him. I looked up and saw the beams, and, at all events, my statements or previous opinions were confirmed.

Question. (By Mr. Morrill.) What did you see on the beams?

Answer. I saw what struck me that her beams had been fixed—painted and cased over, and fixed up. I looked but a moment. I was sick with the appearance of her timbers, frame, and everything about. I went right up again.

Question. State what you saw.

Answer. I cannot describe what I saw. I saw paint and a deck beam. One man said, "Look there!" I glanced up, but I cannot say what I saw. I could not testify that I saw that the deck beams were started; but I saw that the whole appearance was that she had been fixed up for a certain purpose. I immediately went on deck, and said I did not want to see anything more. I am sorry now that I did not pay close attention. I then came ashore. The colonel finding that there were too many men, five companies, immediately ordered one company on board the tug boat, to be taken ashore. The vessel, with all these men and freight on it, was very deep in the water. On Saturday, the next day, I went on board again, and about noon, or in the afternoon. By the way, I should say that when I was on board, before the soldiers were aboard, I got into conversation with the captain of the steamer. He was an elderly man, and struck me as a very singular man to put in charge of a steamer. He may be all right. I asked him: "Captain, do you know about this craft that you have charge of?" He answered, "No; but I have seen her bottom." I did not know exactly what he meant.

Question. Was his name John Dorry?

Answer. I do not know. He was an old man, and I judged from his appearance that he had seen better days; whether he was intemperate or not I don't know, though I have heard something of the kind. He looked pretty well that day when I asked him, "Captain, do you know about this vessel?" He said "No; but I have seen her bottom." I said, "Have you ever sailed in her?" "No, sir." "What sort of a bottom has she?" I asked. "That's all right," said he. I said, smilingly, "I notice that you have spongoons on the sides of this craft." "Yes," said he, "I had those put on." Said I, "Do you think you are going to improve her in that way?" He made some indefinite answer, and turned on his heel. I saw it was of no use to talk to him. He had his instructions, or knew what to say, I thought. On Saturday I took my son on board, and took him around, and talked to him plainly. I said, "You had better take a berth on the starboard side, because in going down the coast the waves will come on the other side. You take one of the life-preservers and hide it under your berth, as there are but very few. The chances are that you will have to swim for it. I doubt whether any of you will ever see land again. You will have to swim for it. The first time this vessel comes into a sea—and it will not require a gale either—you must calculate to go to the bottom, or swim for it. Take care of that life-preserver, and do not let anybody know that you have it." I went away; and about half-past three o'clock in the afternoon I went on board. They were discharging freight then in a lighter. The captain said she had too much on, as I was told. In a few minutes the lighter was towed to somewhere on the pier. I left her, I believe, in the last boat, or one of the last boats. One thing more I would here relate in regard to that vessel: it was loaded so deep that the captain ordered this freight, belonging to the regiment, to be taken off; and when I went alongside in a little White Hall boat, I stepped from that boat directly on the guards of the vessel. For a vessel to leave here loaded down in that way in December is rather sharp practice, I think. I thought it was an inhuman piece of business to send men outside in such a craft in midsummer, much more in winter. Perhaps I may show a little feeling, but my son is as dear to me as any one else. I could not restrain myself from speaking plainly. I saw on her engine that it was branded or stamped "1849," which showed that it was an old engine. I looked around to see the maker's name, which is generally put on, together with the year, and I discovered the figures "1849" cast on the frame.

Question. You formed your opinion from her general appearance?

Answer. Yes, sir. You can tell by the appearance of a vessel what her age and condition is. The model of this vessel was of the style of fifteen or twenty years ago, square stern, &c. Her woodwork seemed to be rotten. She had every indication of being an old vessel, and one that had been used hard. The joints were loose.

W. R. L. WARD.

NEW YORK, *Tuesday, Dec.* 30, 1862.

BRIGADIER GENERAL GEORGE L. ANDREWS being duly sworn, testified as follows:

Examined by the chairman.

Question. General Andrews, please state what connexion you had with fitting out the Banks expedition.

Answer. I was ordered to report to General Banks upon the direction of the Secretary of War at the time I received my appointment. I reported to him about the 17th of November. I had nothing very special, nothing worth mentioning now, to do with the expedition, until a short time before we left, when he called me and said that he should desire me to take charge of the remainder of the expedition after his departure.

Question. Had you anything to do with procuring transports for the troops of his expedition?

Answer. No, sir; not up to that time.

Question. Do you consider yourself capable of determining as to the character of transport vessels?

Answer. No, sir.

Question. Are you not familiar enough with this subject?

Answer. No, sir; not at all.

Question. Were you ever on board the Niagara?

Answer. No, sir; I never was on board of her.

Question. Did Colonel Messer, or any other officers of the Massachusetts 50th, object to you to that regiment, or a portion of it, being embarked on that vessel?

Answer. Not to a portion of it being embarked, but as to how large a portion should be embarked upon it. Colonel Messer stated that he thought the number assigned to the vessel was too large. I told him to march his troops on board the vessel according to the order, and the inspecting officer would determine whether it was too large or not. He marched his troops aboard and the inspecting officer determined that it was too large a number, and a part was taken off.

Question. Who determined the stowage of the vessels and what was to go on this vessel and on that?

Answer. The assignments were generally made by myself, except in smaller matters; but the quartermaster was strictly forbidden to put anything on board a vessel without the sanction of an inspecting officer.

Question. Who was that inspecting officer?

Answer. Commodore Van Brunt.

Question. Was Commodore Van Brunt consulted as to the number of persons that should go on board each transport?

Answer. He was, in this way, sir: I was in the habit of calling upon Commodore Vanderbilt, agreeable to my instructions, for such a number of troops of such a regiment. The commodore then sent me the name of the vessel, her capacity, and where she lay. I then sat

down and wrote a note, saying to him that such and such were the assignments for these vessels. This letter I wrote to Commodore Vanderbilt, and I sent a copy of that letter to Commodore Van Brunt, with an indorsement on it, "communicated to Commodore Van Brunt for his information." I also sent a copy to Captain Putnam, the principal quartermaster, and kept a copy myself. In that copy sent to him Captain Putnam was directed to have the inspection made by the inspecting officer before anything was put on board. After the troops were put on board Captain Putnam was required to have another inspection as to the state of the cargo, &c.

Question. Was Commodore Van Brunt to make both these inspections?

Answer. Yes, sir; both before and after the troops went on board.

Question. Do you know whether he did inspect the vessels in that way?

Answer. That has been my impression. I could not swear positively that he did do so, but that was the understanding upon my part at least.

Question. Do you know whether he made any thorough examination of the vessels to determine their seaworthiness, or whether any one did?

Answer. It was impossible for me to give my personal attention to this matter so as to answer this question from observation. The duties that I had to do about the office were such that it was impossible for me to know, except from what he told me, which I have no doubt was perfectly correct. He stated to me that he did examine the vessels; that as to the Niagara in particular, he had an unusual opportunity to see her condition, her bottom, &c., and he had had a Mr. Haswell on board to assist him in inspecting the vessel.

Question. Mr. Haswell is a machine inspector?

Answer. Yes, sir; an engine inspector. He had also Mr. Southard, who is highly spoken of as a competent judge of the seaworthiness of vessels to assist him in inspecting vessels. Whether he employed him upon that vessel or not I do not know; but I recollect Commodore Van Brunt stating to me in regard to that vessel that he had had an unusual opportunity for examining her on account of her being on the stocks receiving repairs.

Question. Did he say to you that he examined her timbers?

Answer. He did not say that expressly. He did not give me any details as to the examination; but I understood him to have inspected her to his entire satisfaction, he having had a better opportunity than usual on account of her being on the stocks receiving repairs. I also called particular attention to that vessel, in consequence of Colonel Messer's representations to me in regard to the number. The seaworthiness of the vessel was never called in question to me by Colonel Messer.

Question. Nor by Lieutenant Colonel Locke?

Answer. I do not remember it.

Question. Nor by Colonel Ward nor Captain Duncan?

Answer. No, sir; I do not recollect it. It is possible that some-

thing might have slipped into conversation about it, but I do not remember it. But I do recollect about the number being specified to be too great, and that was the point to which I called particular attention. The note I think I wrote was addressed to Captain Putnam, telling him to be sure to have that matter carefully looked to.

Question. By what rule were you governed in assigning troops to a vessel?

Answer. There was no special rule, sir, except to adapt the troops as far as I could to the capacity of the vessel as nearly as I could arrive at it. I stated to Commodore Vanderbilt that there had been a good deal of trouble about over-estimating the capacity of vessels. and that I desired to arrive at some system if possible by which that could be avoided. I have, however, had to take as nearly as I could his estimate of it. He has been in the office with Commodore Van Brunt, and they have consulted together; but I have invariably required an inspection before the troops go, and if Commodore Van Brunt said the number of troops was too great or was not entirely satisfactory, they were ordered to be taken off, no matter what opinion might have been entertained by anybody else.

Question. When the number of troops was fixed did you also determine the amount of stores to go on board?

Answer. That was left in this way. In my note to Commodore Vanderbilt I stated that troops will take their camp and garrison equipage, and that they will take 60 or 30 days' rations, according as it is a sailing or a steam vessel, and officers' baggage and stores; and if there be any small matters that can be put on board that the vessel has room for, the quartermaster may do so, provided the inspecting officer will sanction it.

Question. It appears from the testimony already before the committee that there was a large amount of barrels and stores on the Niagara at the time that you ordered the six companies of the Massachusetts 50th to embark on that vessel. Did you know the amount of stores that would be received on board?

Answer. I did not, sir.

Question. Did you know afterwards the amount of stores that had been put on or was to be put on?

Answer. I did not, beyond the fact that the quantity of stores was stated to be large, and my understanding was that a good part of it belonged to the troops that were to go on board, and it was in consequence of a lack of proper regulations in regard to the amount of camp and garrison equipage and other baggage that troops should be allowed to take. I recollect stating that if the case had been a new one, where I had the control of the expedition from the beginning, I should have had everything inspected before it went on. But as that was not the custom of General Banks, I preferred to pursue the same course that he had done.

Question. Do you know the Jersey Blue?

Answer. I recollect that was one of the vessels that sailed.

Question. Was she a propeller?

Answer. I think so. She was a steam vessel.

Question. Do you know what troops embarked on her?

Answer. I cannot now tell you.

Question. Did you ever hear any doubts expressed as to her seaworthiness?

Answer. I don't remember any. General insinuations have been made, from time to time, by different parties, with which I did not charge my mind, as to the different vessels. I do not remember any specific charges as to the Jersey Blue.

Question. Do you remember the steamer M. Sandford?

Answer. The E. M. Sandford, sir, sailed before I took charge. I had nothing to do with her. A list of troops was left with me that were expected to accompany General Banks, and another list that I was expected to forward. On the list expected to accompany General Banks the regiments and the vessels to which they were assigned were stated with an approximation to the number of troops to each; and the E. M. Sandford was put down to the 156th New York, 813 men. [Examining document.] I find on my list of troops which would probably be left, and which I was to forward, six companies of the 50th Massachusetts, to the Niagara—540 men. The number on this list has apparently been since changed from 500 to 540. After the Niagara is a note of interrogation. What that refers to I don't know. It was put there by the same party who made this paper, whoever that was.

Question. Do you know anything of the parties from whom these vessels were chartered?

Answer. Nothing whatever.

Question. Do you know anything of the parties from whom they were chartered?

Answer. No, sir.

Question. Under what instructions did you act in this connexion?

Answer. I acted under instructions furnished by Lieutenant Colonel Irwin, of General Banks's staff, by direction of General Banks. I will read the following extracts. The date is December 2, 1862: "The commanding general directs as follows: After his departure, which will probably take place to-morrow, you will assume command of all that portion of the expedition which remains here and in the States of New Hampshire, Massachusetts, Rhode Island, and New York. * * * * A list of the troops of the expedition which will probably be left here is annexed. Use every exertion to send forward all these troops at the earliest possible moment. Commodore Vanderbilt, whose office is at No. 5 Bowling Green, has been intrusted by the government with the duty of providing all the transportation required for the expedition. * * * Give sealed orders of destination to the masters of the transports, to be opened at sea. * * * Each vessel should have from 30 to 60 days' rations for the troops that go with her, and the troops should take medical stores for three months." These were the only instructions I had from General Banks. It was Colonel Holabird who informed me that Commodore Van Brunt was the inspecting officer; I had no instructions from any one else that such was the case. General Banks left in

considerable haste, and I found full occupation for a few days in getting hold of the business that I had to attend to. Some disturbances occurred among the troops down at the camp that I had to attend to, and I found that I had all that I could do. I had a conversation with Commodore Vanderbilt, which I have already mentioned, with regard to fixing upon some system by which the proper number of troops and the proper quantity of stores to go on board a vessel should be determined, so that I should avoid as much as possible ordering a part of the troops on board and being obliged to leave the rest, thus breaking up the regiments. I had also a conversation with Commodore Van Brunt in which I stated to him that I was unwilling, with my knowledge of transportation, to assume any responsibility whatever with regard to the sea-worthiness of vessels or what was the proper load. It was a matter of which I knew nothing; and, so far as my knowledge went, there were very few officers in the army who did know much about it. Some quartermasters might have knowledge in that line, but it was not usually to be expected from a general officer, and my course would be to have the vessels selected by Commodore Vanderbilt, and then have them inspected by him; and such as he said the vessels were, so I should take it for granted they were, sea-worthy or unsea-worthy, as the case might be.

Question. (By Mr. Morrill.) State whether you gave Commodore Van Brunt to understand this at the time the vessels were employed—whether he was notified?

Answer. Not before the sailing of General Banks. I took the command while some of the vessels were in process of being loaded. I had the conversation with Commodore Van Brunt soon after General Banks sailed. The Niagara and the Jersey Blue were both vessels that had been selected before I took command.

Question. (By the Chairman.) Who selected the navigators, the commanders of these vessels, and determined as to their capacity for navigating?

Answer. That I could not state; I do not know. I regarded it myself as a part of Commodore Vanderbilt's duty.

GEO. L. ANDREWS,
Brigadier General of Volunteers.

NEW YORK, *December* 30, 1862.

AMBROSE SNOW, being duly sworn, testified as follows:

Examined by the chairman.

Question. Be kind enough to state your name, age, residence, and occupation.

Answer. Ambrose Snow, of the firm of Snow & Burgess, of New York. My residence is in Brooklyn.

Question. What business is your firm engaged in?

Answer. Shipping and commercial business. We are ship-owners, &c.

Question. How long have you been engaged in that business?

Answer. Some 10 years.

Question. Has your attention been attracted to the vessels engaged for the transportation of troops of the United States army?

Answer. Yes, sir. The subject has interested ship-owners and those having ships to charter to government.

Question. Have you furnished any vessels to government for the Banks expedition?

Answer. For Banks's expedition we furnished not our own ship, but from us was chartered the ship Montebello, a sailing ship. We chartered her some three weeks ago; I cannot give the exact date. She is now at Fortress Monroe.

Question. At what rate was she chartered?

Answer. At $3 75 cents per ton per month.

Question. To whom did you charter her? Who was the agent of the government who chartered her?

Answer. Mr. Vanderbilt seemed to be the party who chartered the ship; but Mr. Southard seemed to act rather as the agent. He was the man we had to apply to to procure the charter. Through him we got the charter. He was the only party we could apply to or do anything with, as it seemed to us. I mean Mr. T. J. Southard.

Question. What was the tonnage of the Montebello?

Answer. 1,050 tons.

Question. Did you furnish any other vessel?

Answer. No, sir; the ship Jenny Beales has been generally in our hands, and was chartered, but not directly from us; but the owner of her chartered her.

Question. Did you pay any percentage to secure the charter?

Answer. We paid five per cent. to Mr. Southard.

Question. Was the usual rate at which charged in cases of this kind?

Answer. That was all that I have any knowledge of his charging—five per cent.

Question. Was that the usual rate at which he charged?

Answer. That was the regular charge he made, so far as our knowledge went—five per cent.

Question. Were you the owner of the Montebello?

Answer. No, sir; we were not the owners.

Question. You acted as ship-brokers?

Answer. We acted as ship-brokers. We are also ship-owners to a large extent.

Question. You also charged a second amount to the owners?

Answer. We have an agreement of our own with the owners. In a case of this kind it is generally a matter of agreement. Where a large commission has to be paid for a charter like that, it is generally an outside matter.

Question. Do you consider that $3 75 per ton per month is a fair rate? Was it above or below the market rate at the time?

Answer. That is as low, probably, as the ships could be procured. It might be possible to get them for less, but that would depend on the business.

Question. This five per cent. was that per cent. on the whole amount received by the charter party?

Answer. Yes, sir; that is on the whole amount. With these charters the government guarantees to keep the ship three months, and the five per cent. would be upon that three months or longer, if the government kept it longer.

Question. What was the general character of the sailing vessels employed for the Banks expedition?

Answer. I think their general character was good.

Question. Do you know of any that were unseaworthy?

Answer. I have no knowledge of any that were unseaworthy.

Question. Do you know the Niagara?

Answer. Only by reputation.

Question. Do you know the propeller Jersey Blue?

Answer. Only by common talk.

Question. Are you in the steamship business?

Answer. No, sir.

Question. Have you furnished other vessels for the other expeditions?

Answer. Yes, sir; but we never have been able to furnish but one. We furnished one of our ships to go to Port Royal.

Question. Who was the government agent in that instance?

Answer. That was from the quartermaster, Colonel Tompkins.

Question. At what rate?

Answer. We furnished that ship for the round sum of $5,000.

Question. Did you pay any per cent. then to secure it?

Answer. We paid a per cent. to a broker who came and named the rate, &c., to us. He was a regular broker. It was two and a half per cent.

Question. That you regarded as a legitimate transaction?

Answer. Yes, sir; we did.

Question. Did you consider this of Southard a legitimate and fair transaction?

Answer. Ship-owners did not consider it a legitimate or fair transaction. It would, perhaps, be proper for me to explain. We supposed it should be open for all ship-owners to offer their ships for whatever they could afford, and the government accept or not as it choose.

Question. Who furnished the navigators or captains for these vessels? Was it the owners?

Answer. All the sailing ships have captains attached to them, who are thorough navigators, who have made long voyages and are experienced men. They are always attached to the sailing ships. The sailing ships are obliged to have so many navigators; three navigators on board, or otherwise their insurance is vitiated with the underwriters; that is a stipulation; they don't go to sea without suitable navigators.

Question. Do you know whether any steps were taken by any government employés or quartermasters or agents of any description to ascertain whether these vessels were furnished with the necessary charts, officers, instruments, &c., necessary to navigate?

Answer. No, sir; I never heard of any steps of that kind being taken.

Question. Would it not have been as easy for the government to have made its contracts directly with the ship-owners as through the intervention of an agent, and would not that have been as safe to the government as to have acted through the intervention of Mr. Southard?

Answer. We supposed that the proper way for the government to have procured these vessels would have been through the quartermaster, who is constantly chartering vessels for the government.

Question. Who is the quartermaster in charge?

Answer. Colonel Tompkins has been removed. Captain Stinson is a very capable man and has had charge of that.

Question. Have any of the contracts made with the quartermaster's department been such as would require or warrant the taking from this quartermaster's department of this branch of business?

Answer. The general opinion of ship-owners here, and that is the understanding in getting these charters, that the business has been done very correctly indeed with the quartermaster here. They regard Captain Stinson as a very honorable, fair, straightforward man, who looks closely to the interests of the government in procuring charters.

Question. So far as you know, then, there has been no conduct on the part of the legitimate officers of the quartermaster's department that would justify any one in pronouncing them incompetent for the proper discharge of this duty of chartering vessels?

Answer. So far as I know, and from the general understanding of the people owning ships, they are quite competent to procure all the ships that government may require. That is the general understanding and the general conversation among men is so.

Question. Do you know of any one who has paid Mr. Southard, or any other party more than five per cent?

Answer. I do not.

Question. Was it regarded as essential by you and the other ship owners that he should be paid this amount to get your vessels chartered?

Answer. We knew that it was not necessary to pay Mr. Southard or employ him at all if we could have been allowed to go to Commodore Vanderbilt. If we could we should have gone there. I would have gone to Commodore Vanderbilt and chartered my vessel directly to him, but I could not reach him except through Mr. Southard.

Question (by Mr. Morrill.) Why could you not reach Commodore Vanderbilt except through Mr. Southard?

Answer. When we got to Commodore Vanderbilt we were referred to Mr. Southard; when we went to Mr. Southard we were told that we should have to pay him a commission of five per cent.

Question. Did he tell you that?

Answer. Mr. Southard has a son and a son-in-law in the commission business; also a son-in-law in the shipping and chandlery business; and to this son and son-in-law we would have to pay a five per cent. commission.

Question. Who told you that?

Answer. We have done that. Who told us? Well, I could not specify what particular man told us. That had to be done. We did do it. Our general understanding was, we had to apply to Mr. Southard, and in order to get the charter we must pay five per cent.

Question. You did not pay it to Mr. Southard?

Answer. We did pay the commission to T. J. Southard.

Question. At whose instance did you pay Southard?

Answer. Well, this matter would come up. Mr. Southard always declared he had no friends to reward and no enemies to punish. He stated to me that he got no compensation.

Question. But who did he refer you to?

Answer. To this young man, who seemed to be commission merchant in the matter. It so came out that our ship got her stores from his son-in-law, who kept ship stores, and she paid five per cent. commission to T. J. Southard.

Question. Did Southard give you to understand that it was necessary for you to make this arrangement with that chandler then, and this five per cent. commission to him for the charter?

Answer. That was understood.

Question. From whom?

Answer. I could not say that Mr. Southard said that these were the conditions.

Question. Did he refer you to these companies?

Answer. Well, it seemed to be all in one family, and in speaking with one we always considered that we were talking with the other.

Question. When you went to Commodore Vanderbilt he referred you to Mr. Southard?

Answer. Yes, sir.

Question. And when you went to Southard, he referred you to this company?

Answer. Well, they seemed to be all working together. It is all in the family. Of course we knew. It was him, his son, and his son-in-law. We did not, however, regard this as anything unfair. We felt quite satisfied; if we could employ our ship, they might employ her.

Question. Were the other ships supplied with stores by the son-in-law of Mr. Southard?

Answer. I believe they generally were. I would not speak positively.

Question (by Mr. Morrill.) You spoke of "our having to pay;" do you refer to ships generally?

Answer. I refer to ships generally.

Question. Do you mean that they generally paid five per cent.?

Answer. Yes, sir; so far as my knowledge goes.

Question. How far does your knowledge go?

Answer. My knowledge goes so far that I am pretty generally acquainted with the leading ship-owners here. We always meet on Change and talk over our interests.

Question. So that it turns out that those who got charters for this Banks expedition expect to pay a commission of five per cent., and buy their stores of this concern?

Answer. That is what I understood. We understood that Mr. Southard might reject the vessel.

Question (by the chairman.) Did Mr. Southard have anything to do with the steamers?

Answer. I don't know.

Question (by Mr. Kennedy.) Is it a general custom, in chartering ships, to do it through ship-brokers, or with the owners themselves?

Answer. The chartering is more generally done through brokers. Brokers are always upon the watch for any business that may come up. Ship-owners and shipping houses are not so apt to find business themselves. If anything like government business is to be had—if we know that there is an expedition to be fitted out, and we can only find any man that has control, and can all get to him, we will be very glad to go to him; but if we find out that there is some broker that has it, we go to him. Sometimes we pay two or three brokerages.

Question. Has there been a regular rate or percentage? Is it an arbitrary rule, or is it established according to some system?

Answer. Two and a half per cent. is the usual charge; but where there are large transactions brokers would be very glad to divide the commission. It is usually done by a broker making his appearance in the counting room of the ship-owner. He gives the information, and the ship-owner and the broker divide the commission. The broker then gets 1¼ per cent.

Question (by Mr. Morrill.) How is this commission of five per cent. provided for, sir?

Answer. It is provided for by a written agreement on the part of the ship's husband, or the ship's agent for the time, to pay to these gentlemen five per cent. of the gross earnings.

Question. Do you know the name of the owner of the ship "D. J. Southard?"

Answer. Mr. Southard is represented as the owner of her.

Question. Who owns the Sparkling Sea?

Answer. I don't know.

Question. Do you know the owner of the Moro Castle?

Answer. Mr. Southard is the owner of her.

Question. Pocahontas?

Answer. No, sir.

Question. Lucinda?

Answer. Benner & Brown are the agents of that ship.

Question. The Wizard King?

Answer. That is Mr. Southard's.

Question. Aquila?

Answer. She is owned in Bath, Maine, by Houghton & Sons. Nesmith & Sons, in New York, were the parties who had the chartering of her.

Question. The Wm. Woodbury?

Answer. The Wm. Woodbury is owned in Portland, Maine. Benner & Brown are the representatives here.

Question. How happens it that you are the owners of the Montibello, and still she is chartered in the name of Henderson?

Answer. We are not the owners.

Question. Who is J. A. Cobb, who charters the Wizard King?

Answer. That is the captain that signs the charter.

Question. Who is J. T. Harvard?

Answer. I suppose he is the captain of the ship G. J. Southard. The Moro Castle is chartered by L. R. Ross. I suppose he is the captain.

Question. Did you ever talk with T. J. Southard himself about chartering this ship?

Answer. Yes, sir. All that we ship-owners desire is that government should notify us through the papers when they want any ships. Ship-owners are patriotic, and would be glad to furnish ships to government. But the way these expeditions have been fitted out it is very difficult to find out who is the man to get the ships in. An obscure man, a broker of whom we knew nothing, would come up and tell us that we must pay so much per cent. and through him we must get these charters. Then we must go to him. We yield and let him have it?

Question. Did you have any vessels chartered in the Port Royal expedition?

Answer. No, sir.

Question. Did you try?

Answer. Yes, sir; but we did not succeed.

Question. Was this same brokerage system pursued then?

Answer. Yes, sir.

Question. Have your vessels been engaged in the passenger carrying trade?

Answer. Yes, sir; for a good many years.

Question. Did you charter the ship Montebello to government for the Banks expedition?

Answer. Yes, sir.

Question. What is her tonnage?

Answer. It is 1,050 tons.

Question. State how many soldiers or persons were placed on board that ship?

Answer. Berths were put up for 900. She went from here to Fortress Monroe to take in her troops there.

Question. The Alice Counee, what is her tonnage?

Answer. As we are informed, it is 1,140 tons. She has 900 berths. That ship now lies in the stream here, North river.

Question. The Wm. Woodbury?

Answer. Her tonage is 1,191 tons. She has 851 berths.

Question. The International?

Answer. We are informed that she has berths for 1,000 men. She is a ship of 1,003 tons.

Question. The J. Morton?

Answer. She has 900 berths. Her tonnage is 1,196. According to the old United States law, of two to every five tons, the amount of tonnage in those vessels would carry 2,232 Irish passengers, as we would bring them from Ireland. But berths were put up for 4,550 soldiers.

Question. Do you think the number authorized by the law as many as could be humanely or properly carried in vessels of that description?

Answer. Well, we think our ships are crowded as much as they ought to be under that old law. Under the new law there would be 1,600 or 1,700 passengers. That many could be carried under the late law limiting it to one passenger to every 14 feet. Under the old law it would be 2,232. But there have been berths put up for the transportation of 4,550 soldiers. It is common talk among owners of ships that the troops have been improperly crowded. On board steamships it is the same way, but they are not on board so long, and it would not be quite so bad.

AMBROSE SNOW.

NEW YORK, *Tuesday, December* 30, 1862.

THOMAS J. SOUTHARD, being duly sworn, testified as follows:

Examined by Mr. Morrill.

Question. State your name, residence, and occupation.

Answer. My residence is at Richmond, Maine; my occupation is that of ship-builder. I have been concerned in ships, more or less, for 25 or 30 years.

Question. If you had any connexion with supplying the sailing vessels for Banks's expedition, state what.

WITNESS. Well, would it be worth while for me to go into particulars?

Mr. MORRILL. State, in your own way, your connexion with that expedition.

Answer. I was at the Revere House and saw Governor Washburne, and got to talking about this expedition going from New York. He came on to New York and gave me a letter of introduction to General Banks. By and by I came on here and found Governor Washburne

here, and I was introduced by him to General Banks. I came on here, but I did not deliver the letter; Governor Washburne himself introduced me to General Banks. He remarked to him that I would be a very good man for him, from what knowledge he had of me. He said I would be a very good man to assist him in getting vessels here. I told him, as far as I was capable, I would take pleasure in doing so. Mr. Holabird was his quartermaster. I was up there two or three evenings. I went and made a model, at his request, to show how to fit up a ship for horses—to show my idea about it, and I exhibited it. They have got it now somewhere in his possession. They approved of it. Then I came down and met General Banks, and he spoke to Commodore Vanderbilt and introduced me to him, and told him what he knew of me—that I had had some experience in fitting out some ships at Boston, which I believe did not lose but two or three horses, and Mr. Vanderbilt said if I was competent and capable to render him any assistance, he would be happy to have me. He asked me what I would charge; I told him "Nothing. I feel just as much interest for General Banks as for myself. I want this thing wound up;" I meant this war. I wanted something or nothing done; we had been fooling long enough. They talked the matter over; I went out. Mr. Vanderbilt came in and told me what they said. He told me he would like me to assist; but he said, "I will charter a vessel and make the price for it, but I would like your views." I said, "Very well." He said they wanted four ships for horses and four for troops, I think. He wished me to get four ships, and they must not draw but 15½ feet of water when they left New York, and he wanted them to take so many horses; I think it was 1,500 horses he wanted to go. That was the first programme. They afterwards changed that, and wanted four of them to go from Fortress Monroe, which would take half of them. They would take eight ships from there. I sat down and looked out the ships, or had it done. Two belonged to my friend, M. C. Hagar, at Richmond, Maine, now dead. They were buoyant ships. You know a ship requires a peculiar model for buoyancy when loaded. Our common ships will draw, loaded, 18 to 20 feet of water. I went and selected eight ships that I thought would do so. I sat down and made a memorandum. I have got the old memorandum in my pocket, and copied it for Commodore Vanderbilt. I told him where they lay, that Commodore Van Brunt might look at them and determine how much forage, &c., they would require, and how much dead heft they would take on board for them. Here is the memorandum. These first are the eight vessels. There are some others that were put on afterwards. There is on it the hay required for the horses and the water, forage, &c., that they would require, and the dead heft of all of them. They would not want to go for nothing, and they could carry so much. These ships all loaded within two inches of what I said. These eight first ones are the ones I designated. Those below I selected also, except three. Of this memorandum I will give you a copy. Now, in regard to these ships, I went over them and superintended them; that is, I directed where to cut and where to ventilate each ship. Last spring I had a ship go down

in the expedition, and I guaranteed the horses to go down safely. I have carried horses from the La Platte river to the East Indies and other places. These ships that are on that paper were fetched and went to Fortress Monroe. The ships all turned out according to my memorandum, and they are three-thirds. Every ship is three-thirds at Lloyd's—what we call "American Lloyd's." That is what we call our best class ships. Our insurance offices here have these ships inspected as often as every two or three years to see if there are any rotten timbers. Then they bore them to see if they are rotten, and then they rate them. They are rated by a board of survey established by the board of underwriters, and then they fix the rate of insurance. The best rate is A 1; then A 2. That stands very well; but three-thirds is A 1½.

Question. Below A 2 are they fit for sea?

Answer. Yes, sir. A 2 is a fair rate to ship for Liverpool. The wood is hackmatack. It has hard wood in the vessel, and is a very good vessel, wears well and performs well; but still she is not white oak, and therefore rates lower. But half of these ships are A 1.

Question. It seems the prices were fixed and the charters granted by Commodore Vanderbilt?

Answer. Yes, sir. I will tell you about the charters. They were made in the first place at four dollars a ton. Last year, in all the expeditions that went from here, I think they were from five to six dollars a ton. Commodore Vanderbilt asked me what would be a fair price for a vessel per ton for sixty days. Says I, "Mr. Vanderbilt, there is no man can fit a vessel to go for sixty days, because the outfits would cost more in getting her away than he would get." I told him I thought that four dollars a ton would be a fair price, and he took the first four in that way, the ship fitting everything. It was for three months at four dollars a ton, the ship fitting everything. What we meant by that was, she was to put up the berths and fix for the horses, put up the ranges, &c. I made the schedule myself, which they have there now. It cost to fit up a ship about $1,500 for 150 horses, and at that ratio. It will not come under that. Last year, as far as my experience goes, the government furnished these things.

Question. Do you know about these matters?

Answer. I know what my ship had, and the government did not pay for making the horse stalls, but it did for the other expenses, such as lanterns, brooms, brushes, currycombs, halters, and all these things. They were furnished by the government last year, but the ship furnished them this year. I rest them on that basis, because I knew last year a great many little bills came up against the government, and made a great fuss between the owner and the government. I told Commodore Vanderbilt that it was best to make the ship pay for the whole, and know nothing but the charter. He adopted that plan. I think the vessels before paid a portion for fitting up the stalls, but none of the other things, like the buckets. It takes eight dozen buckets for a ship of horses. There is a ship lies down at the wharf that I chartered, (I say I chartered her, because he left it to

me,) at $3 75 a ton. She belongs in Boston. Last year she had $4 50 a ton for the same thing on Butler's expedition. That is the Undaunted. It was $4 50 a ton, or upwards. I think he told me to say that it was $4 50 a ton. You see the difference. It was the same ship. She was furnished last year her water casks. She was furnished all these little fixtures, except putting up the stalls. This year he furnished his own water casks, and these other things. It will cost him for his water casks $1,200 or $1,400, and his halters and other fixtures will cost him enough to make it $2,000 on the start, not per month. There is the difference in the charter of that ship.

Question. How were the ships which were to be chartered designated?

Answer. Commodore Vanderbilt told me to go and select a ship. Say, for instance, the quartermaster fetched in an order for so many horses and men to go; he would say, "I want you to select a ship that will take them."

Question. Then the selection of the ships to be chartered was by you?

Answer. Yes, sir. I put Commodore Van Brunt aboard of it and he approved of it.

Question. You went and selected the ships to be chartered and reported them?

Answer. I reported them to Commodore Vanderbilt, and Commodore Van Brunt went with me and inspected them to see if they were right and reported.

Question. Were they all inspected by him?

Answer. Every one I chartered except two, I think he was aboard of them; but I was away and did not see to them myself. I think Commodore Vanderbilt was on board of them; I took a good deal of pains; I paid over $100 to carry Commodore Van Brunt around, for carriage hire to put Commodore Van Brunt aboard these vessels and show them to him.

Question. Was there any compensation fixed for your services?

Answer. Not a cent—not a mill. I will explain further as to these ships. A man in Bath, say Mr. Houghton, had a ship here; a man, Mr. Baily, had a ship here; a man living at Waldoboro, had ships here; so with others; they were in the hands of the brokers; these ships had to pay a brokerage to the brokers; they always have to do that. If I am down east and charter a ship here I go to a man here and he charges me five per cent. and charges it to me in my account and draws against me. It is five per cent. unless you take a guano charter; for one of that kind I paid 8½ the other day.

Question. What is the charter brokerage?

Answer. Two and a half to five and seven and a half; guano charters are very high; eight or nine per cent.

Question. What is the distinction between these prices?

Answer. All these guano charters come from the other side; they charge a commission there and our brokers charge another commission here; it is divided; they will not work in Europe short of five per

cent. commission; our folks here put on all that they can and get all they can.

Question. Do brokers charge more than one price for chartering sailing vessels in the merchant service?

Answer. Yes, sir.

Question. Depending on what?

Answer. Say, for instance, a ship is here in a broker's hands; he knows a merchant has a freight and he is looking for a vessel; one man has the vessel, the other the freight, and the broker makes the charter. Then he says: "Here, I am entitled to two and a half per cent. on her earnings." He says: "We will call this five per cent. and divide it, make it two and a half per cent. apiece." That is the way it works.

Question. He takes it of both in that case?

Answer. Yes, sir.

Question. Still the price would be two and a half per cent.?

Answer. Yes, sir; but he divides it; I never got a vessel chartered here short of four and a half. Here is another thing; here is a man who is an outside broker and here is a man like Mr. Nesmith, a broker in his office; the broker outside is like a stock broker, and goes around looking for business, who takes one and a quarter per cent.; that makes it that much more; for all grain freights we have two and a half, four, and four and a half.

Question. How many ships have you designated for this Banks expedition?

Answer. They are on this list—eleven of them.

Question. Is this a list of those you have selected?

Answer. Yes, sir.

Question. These are all that were chartered up to the time indicated?

Answer. Yes, sir.

Question. There are twenty-one in all?

Answer. Yes, sir.

Question. Can you give us the names of the owners? They are not down here.

Answer. I think I can give you the names.

Question. The Wizard King?

Answer. I own one quarter of her and the rest is owned in Maine. It is in pieces all round—in giblets.

Question. Sparkling Sea?

Answer. She is part owned in New York and part in Maine; some of them are in Thomaston. The Chases all came from down there.

Question. Jenny Beals?

Answer. Mr. Cobb, of Rockland, owns her, who used to be in the legislature.

Question. Olaman?

Answer. That is Mr. Hagar's ship.

Question. The Theobald?

Answer. Mr. Hadger.

Question. Moro Castle?

Answer. I own one quarter of her; Captain Jno. Bishop owns one quarter; there is a piece owned in Litchfield; it is all chopped up, you know.

Question. The T. J. Southard—is that yours?

Answer. Yes, sir; I own one quarter, Mr. Sewell owns one quarter; Captain Harwood owns a part.

Question. The Lucinda?

Answer. B. C. Bailey, of Bath; Captain Smith, of Halloway.

Question. Pocahontas?

Answer. She is owned by the estate of Deacon Houghton, of Bath.

Question. The Windemere?

Answer. She belongs to the New England office at Boston.

Question. Aquila?

Answer. She belongs to Mr. Moses, of Bath. He represents her.

Question. Alice Counce?

Answer. Captain Singer is in her. He represents her, but she is owned at Waldoboro.

Question. E. J. Morton?

Answer. You will pardon me that I am so blind about these names. I selected these names and they were handed in by these brokers down on South street. These are Maine vessels, but the Morton is a Thomaston vessel, or Waldoboro. She is owned in that section. There may be one quarter owned in New York.

Question. Montebello?

Answer. She is owned at Portland. Brown & Benner handed her to me, or Captain Woodbury. I cannot give the owner's name.

Question. The William Woodbury?

Answer. She is owned in Portland.

Question. The Planter.

Answer. She is owned here in New York. Captain Bailey, of Rockland, is master of her.

Question. The Constellation?

Answer. She is owned in New York, down on South street. I cannot tell by whom.

Question. The Jenny Lind?

Answer. She is owned in Brooklyn.

Question. Undaunted?

Answer. She is owned in Boston. Richardson owns a part of her.

Question. W. F. Schmidt?

Answer. She is owned in New York, on South street.

Question. These are all that have been chartered up to this time stated, of your selection?

Answer. Yes, sir. There are three there that I did not select; but I presume they are good ships.

Question. Are they on this list?

Answer. No, sir; but there are three more ships besides these that I did not select.

Question. Is one the Lizzie Southard?

Answer. The Lizzie Southard is discharging, but they proposed to take her for troops. They have put her down. I have two ships in

New York. I am hesitating whether to take the price or not. You see there is not money enough to make it an object.

Question. You say there was no arrangement for any compensation, but your services were to be a gratuity to government?

Answer. Yes, sir. I didn't intend to charge one cent, and I don't intend to; I meant what I said.

Question. Is there any arrangement by which commissions are to be paid on these charters?

Answer. There is no commission to be paid to me—no pay by the government.

Question. Is there to anybody?

Answer. There is a commission to be paid on these charters, I suppose, or equivalent to that, on all of them.

Question. To whom?

Answer. To different parties on South street, among brokers.

Question. Is it to be paid to the brokers who did the business?

Answer. Yes, sir, and to nobody else—not a mill to anybody else that I know of.

Question. That is to say, the broker of whom you chartered the ship receives a commission?

Answer. Yes, sir; from the ship—from the owner of the ship.

Question. That commission is on the amount of the earnings received by the ship?

Answer. The owner pays it.

Question. How was that provided for?

Answer. It is paid by the owner. Say, for instance, I charter my vessel for five thousand pounds to go from here to London. Most of our charters specify in the charter to pay five per cent., to be paid on signing the charter. Some of them are 2½ per cent.; some 7 per cent. They put it right in the charter. When a ship disburses here, say I am the owner, and I am down east, the broker makes up his account and charges this against me for procuring this freight. He puts it in as a disbursement of the ship, and draws against me for it in all cases where I have had any business done here in New York. It has nothing to do with the freight. The charter has nothing to do with it. The owner has to pay for it.

Question. Did you supply these ships with their ship-chandlery?

Answer. Not a dollar.

Question. Where were they supplied?

Answer. A part of them were supplied by Walls, Carver & Chase. I don't know where all were supplied; these up town fellows got some. My son-in-law, of the firm of Neff & Merrill, supplied some.

Question. Is there a firm named Southard, Wright & Hussey?

Answer. Yes, sir; they are brokers.

Question. Not ship-chandlers?

Answer. No, sir.

Question. In these charters, is there any arrangement by which Southard, Wright & Hussey received a commission on these charters?

Answer. I think they have a portion of the commission, sir, with the other brokers.

Question. You mean they shared it equally?

Answer. No, sir; they divided around with other brokers who got the vessel. Here is a man wants a vessel and can't find one, and comes out looking for her. Captain Hussey has done a great deal to help to get expedition, fitting the vessels out. He has spent his whole time. Mr. Houghton left his ship in his hands. Of course the ship will have to pay him a commission for it.

Question. Do you mean that the firm of Southard, Wright & Hussey received commissions on these vessels, which is divided with the brokers?

Answer. Yes, sir.

Question. In what ratio do they share?

Answer. I can't tell in what ratio they divide. Probably Captain Hussey had a ship here and paid five per cent., and they went over to Brooklyn and moved her back and forward; and they might allow three per cent.

Question. Do you know what the arrangement was?

Answer. No, sir.

Question. By what arrangement was it that they received a commission on these vessels?

Answer. The same as all other brokers' arrangement.

Question. I understood you to say they divided with other brokers?

Answer. I know they did. If one man gets a ship and has her for the owners, he charges a commission. Say Mr. Nesmith has a vessel, and Southard, Wright & Hussey don't own the vessel. He would tell them about her, and they would divide the commission.

Question. When persons applied to you for charters for ships, did you refer them to Southard, Wright & Hussey?

Answer. Whenever they asked me for a ship they would fetch in a letter offering a ship to me. I would go and look at the ship and pass my opinion. If she would answer, I passed her. I would tell them sometimes I would like for Captain Hussey to go and look at the ship; I could not go, but I always went afterwards.

Question. Did you refer them to Southard, Wright & Hussey?

Answer. I don't know what you mean by "refer."

Question. You were employed to select ships?

Answer. Yes, sir.

Question. Being so employed, did you refer them to Southard, Wright & Hussey?

Answer. No, sir, only for information about the vessels and owners. Of course Captain Hussey helped me in some instances, and I might have told them to see them about the vessel, to find out the particulars.

Question. Take the ship Montebello; who applied to you for her?

Answer. I can't tell.

Question. Do you recollect who applied to you for the Montebello?

Answer. No, sir.

Question. Was it Mr. Snow?

Answer. I can't say, sir; I would not say. I don't remember now, though I might tell by looking over the minutes at home.

Question. Who constitute the firm of Southard, Wright & Hussey?

Answer. My son, T. J. Southard, Irwin A. Hussey, and Charles Wright, of Boston.

Question. Who is Hussey?

Answer. He is from Thomaston, Maine; he lives in Brooklyn?

Question. Do you mean to say that that firm are acting as brokers for these vessels?

Answer. Yes, sir; every one of them—that is, that they had to do that, the same as Nesmith did—or a portion of them.

Question. Do you mean that they divided with the brokers?

Answer. They did not deal with these vessels. Mr. Nesmith would say: "Here is my friend has a ship here, and I can get him to put her in if you will divide the commission with me, and we will make 2½ per cent."

Question. If they were not brokers for the vessel, what means had they for getting the ship in more than any other broker? Why were they called upon?

Answer. I don't know. That is a question I can't answer.

Question. What arrangement was there between you and them by which they were to have a commission on these ships?

Answer. I never made any arrangement whatever with them.

Question. And you never received anything?

Answer. Not a particle.

Question. Did you know that they received a commission?

Answer. I supposed that they were receiving a portion of the commission on all the vessels I chartered.

Question. By what arrangement was that?

Answer. I could not say, sir.

Question. What led you to suppose that they were getting a commission?

Answer. Because I knew it was customary for them to charge a commission. If they had anything to do with a vessel they would charge a commission.

Question. By what arrangement were they to have anything to do with the vessels you selected?

Answer. If you want to come right to the point, what I mean is: I had a son here in business; and it is a customary thing here for people to pay a commission; I paid him a commission on my own vessel because he does the business for me; my son was there, and I paid him on my own vessel a commission; I allowed it to him and I have got to pay it to him?

Question. Were you doing this business for the government or for your son?

Answer. I was doing it for the government. I was selecting these vessels for the government.

Question. Then why did you allow your son to charge a commission on the vessels you selected?

Answer. He did not charge any commission to the government.

Question. Who did he charge it to?

Answer. He charged it to the vessel.

Question. Why did you allow that?

Answer. I could not prevent that. How could I prevent him from charging a commission?

Question. You selected the vessels?

Answer. Yes, sir; I was sent to see the vessels; I did not know who owned half of them; I did not see the owners; I never saw the owners.

Question. Do you recollect what broker chartered the Pocahontas?

Answer. No, sir; I can't tell you.

Question. You say you chartered a ship last year for the Butler expedition. Who was that charter made with?

Answer. It was made through the quartermaster in Boston. He belonged to Lowell—Captain Paul R. George. That was the Wizard King.

Question. At what rate did you charter her.

Answer. She was the last ship chartered, and I put her into the navy for four dollars. The ships previous to that were chartered at $4 50. I put her in the last ship, and I guaranteed the horses. In the ships put in previous to that the government guaranteed the horses; but I guaranteed these horses. For every one I did not get out to Ship island I had to pay government $110, which was to be deducted from the charter; which was equal to half a dollar a ton certain.

Question. She was then put in at the same rate as now?

Answer. Yes, sir; at the same price, but the government paid for these halters and things, The reason I put her in there was a good deal of talk; I put her in at a price at which I thought the vessel could go. I put her in at four dollars.

Question. What do you get for the T. J. Southard now?

Answer. $4.

Question. What for the Moro Castle?

Answer. She is a small ship and I got $4 50 for her; but she carries as much as an 800 ton ship, but she only tons 523 because she tumbles home. If she went up straight she would be different. The breadth of beam is what counts on a vessel.

T. J. SOUTHARD.

DECEMBER 31, 1862.

T. J. SOUTHARD appeared and testified further, as follows:

I wish to correct one thing that I think I stated before—that I looked up these vessels. Mr. Vanderbilt told me how many men he would wish to berth and how many horses he would want to put aboard of a ship. If I said I looked up the vessels I wish to correct it. I did not look them up, but inspected them and directed how the decks should be cut and how they should be fitted up for the troops and horses, and superintended the fitting.

Question. If you desire to explain or add to your previous testimony, you are now at liberty to do so.

Answer. When I was called here yesterday I did not know what

questions would be put to me, and my answers may not be as clear and carefully made as I could desire. I will, therefore, with your permission, make a further statement, which will perhaps be a repetition of some things I have said, but will be in a clearer and more precise form.

I met Governor Washburne, of Maine, at the Revere House, Boston, who had previously given me a letter to General Banks recommending me to him, saying that I was a very efficient man and could render him good service in getting away his expedition. I came on to New York, a few days after, and met Governor Washburne at the Astor House when he introduced me personally to General Banks.

The general then introduced me to Colonel Holabird, his quartermaster, saying that he was better acquainted with what was required for fitting ships for horses and troops than he, the general, was. He asked me what knowledge I had of these things. I gave him what information I could in regard to it. I drew a plan and made a model and a specification of what was required, and presented them to him and General Banks, which they approved of. General Banks then gave me an introduction to Commodore Vanderbilt, and told him he would like for me to assist him in superintending and fitting up the expedition. I told them that I knew but little about steamships, and therefore would have nothing to do with them; but sailing ships I felt myself competent of superintending and fitting them up. Commodore Vanderbilt then said to me, "What will you charge the government for your services?" I replied that I would charge nothing, but would do everything in my power to get the expedition away. He then said "he would have me attend to it." He gave me a memorandum to select ships enough to carry comfortably sixteen hundred horses and ten hundred and eighty men, and to draw fifteen feet of water when they arrived at their port of destination, which would be after about twenty days' passage. I called on Messrs. Southard, Wright & Hussey and asked them to ascertain where those ships could be obtained, and at what price, and adapted to that draught of water. They gave me a list of some twenty-five ships, and where they lay. I then went and examined the ships, and selected the ships to be furnished and fitted by owners, as per schedule annexed. I then reported the vessels to Commodore Vanderbilt. He then made a price for said vessels and chartered them. I then went on and superintended fitted them, as per memorandum No. 1. He then applied to me for ships to carry troops, amounting to 4,350 men. I applied to Southard, Wright & Hussey to ascertain where they could be had to berth that number of troops. They reported to me a number of ships. I went and examined them all, and selected five ships, which are marked No. 2 on schedule, and reported to Commodore Vanderbilt. He then made a price and chartered the ships. I then went on and superintended and fitted them up. He then called on me for a receiving ship to be in the stream on Monday morning. Commodore Van Brunt and myself went on board the ship Planter on Sunday and selected her. I got tugs and towed her into the stream.

She was rejected by Commodore Vanderbilt. I then got tugs and towed her back to the dock at my own expense, because I did not consult Commodore Vanderbilt before taking the ship. Commodore Vanderbilt then requested me to select ships enough to carry 450 horses and 1,650 men, and one ship for stores. I called on Southard, Wright & Hussey to ascertain where they could be had. They reported to me where I could find them. I then went and examined said ships, and selected the ships, as per schedule, marked No. 3. I reported them to Commodore Vanderbilt. He made a price and chartered the vessels. I then went on and superintended and fitted them up. He then called on me to procure ships to carry 1,480 men. I applied to Southard, Wright & Hussey to ascertain where the ships could be found. They reported to me where they lay. I then examined the vessels and selected them, as per schedule No. 4; then reported them to Commodore Vanderbilt; he made a price and chartered the vessels. I then went on and superintended and fitted them up. After the ships were fitted and ready for sea, Commodore Van Brunt accompanied me on board of all the ships, and they were approved by him. As for pay for superintending the above I have received nothing and expect nothing.

T. J. SOUTHARD.

The following are the documents alluded to by the witness T. J. Southard:

Complete list of ships, &c.

Name of ship.	Tonnage.	Officers.	Men.	Horses.	Water.	Hay	Provender.	Cargo.	Where ship lays.
					Galls.	*Lbs.*	*Qts.*	*Tons.*	
Wizard King	1,398	8	60	180	36,480	162,000	43,200	400	Woodruff & Robinson's, Brooklyn.
Sparkling Sea	893	8	112	112	27,360	100,800	26,880	250	Atlantic dock, middle pier.
Jenny Beals	1,094	10	112	160	36,120	144,000	38,400	400	Do.
Olamon	780	8	50	130	26,880	117,000	31,200	350	Empire stores, Brooklyn.
Theobold	836	8	60	140	35,280	126,000	33,600	350	Pier 47, East river.
Moro Castle	523	6	25	100	19,860	90,000	24,000	150	Woodruff & Robinson's, Brooklyn.
T. J Southard°	1,086	10	112	160	36,120	144,000	38,400	600	Pier 46, East river.
Lucinda	836	8	100	130	29,880	117,000	31,200	400	Pier 28, East river.
Pocahontas	1,088	10	112	170	37,920	153,000	40,800	550	Pier 44, East river.
Windemere	1,107	10	225	150	41,100	135,000	36,000	500	Ford's stores, Brooklyn.
Aquilla	1,119	10	112	160	36,120	144,000	38,400	600	Empire stores, Brooklyn
Alice Counce	1,156 $\frac{88}{95}$	10	850	.....	34,973	.....	.....	400	Stream.
J. Morton	1,149	10	900	.....	35,097	.....	.....	400	Atlantic dock, Brooklyn.
Montebello	1,049 $\frac{72}{95}$	10	850	.....	34,973	.....	.....	300	Pier 51, East river.
International	1,000	40	900	.....	35,807	.....	.....	300	Ford's stores, Brooklyn.
W. Woodbury	1,091	10	850	.....	35,000	.....	.....	300	Woodruff & Robinson's, Brooklyn.
Planter	1,905	40	100	275	66,000	.....	.....	600	Pier 50, East river.
Constellation	1,568	80	900	.....	35,097	.....	.....	600	Pier 45, East river.
Jenny Lind	632	28	550	.....	22,000	.....	.....	150	Pier 13, East river.
Undaunted	1,370	12	100	175	42,000	.....	.....	400	Pier 42, North river, government dock.
W. F. Schmidt	775	12	.....	.....	.....	.....	.....	.....	Pier 50, East river.
Lizzie Southard°	1,046	28	820	.....	32,000	.....	.....	400	Pier 42, North river, government dock.
Onward	790	28	660	.....	26,400	.....	.....	300	Pier 48, East river.

NOTE.—Ships to draw 15½ feet on leaving New York.

° Stores.

The following is a list of the articles each is required to furnish.

2 half hogshead tubs.
1 pair horse slings, extra heavy, for hoisting horses.
1 dozen horse slings.
3 dozen lanterns, and locks.
½ dozen hand lanterns.
2 dozen common brooms.
2 dozen hickory brooms.
2 dozen brush brooms.
½ dozen headers.
⅔ dozen 2-bushel baskets.
½ dozen swabs.
1 dozen shovels.
½ dozen large handle hoes.
1 dozen currycombs.
1 dozen horse brushes.
2 dozen cedar buckets.
2 dozen oak buckets.
½ dozen painted buckets.
½ dozen 3-tined forks.
½ dozen 4-tined forks.
175 halters.
1 portable pump.
25 feet suction horse.
50 feet leading hose.

NEW YORK, *Wednesday, December* 31, 1862.

Commodore G. J. VAN BRUNT, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence, profession, and present employment.

Answer. My residence is in Dedham, Massachusetts; I am a commodore in the navy of the United States.

Question. State, if you please, commodore, what connexion, if any, you had with preparing transportation for the Banks expedition, under what orders you acted, and at what time you received your orders.

Answer. I received my orders on the 14th of last month—November. I was at the time on a court-martial, and I reported the same day to General Banks, under those orders. This is all the order I ever received on the subject, which, you will perceive, is to "supervise." It is a telegraphic despatch, and reads as follows:

"NOVEMBER 13, 1862.

"Proceed to New York and report to Major General N. P. Banks, United States navy, at 759 Broadway, for special service in the supervision and outfit of the transport fleet of his expedition.

"GIDEON WELLES,
"*Secretary of the Navy.*"

Commodore G. J. VAN BRUNT, *U. S. N.*

When I arrived here I reported, in obedience to those orders, to General Banks. General Banks stated to me at the time that Commodore Vanderbilt had the outfitting and selection of the vessels for that expedition—in other words, the chartering and procuring of transportation for those troops. He told me that he wanted me to examine these vessels, and also, that Commodore Vanderbilt would give me a list of them. A number had been chartered previous to my arrival here. I went to see Commodore Vanderbilt; I showed him this telegraphic despatch. He said that he had already chartered a number of vessels, and he gave me a list of them. But previously,

however, when General Banks told me that he wanted me to examine these vessels as to their fitness for carrying troops, and the number they would carry, and to attend generally to the outfits to see that they were properly fitted for sea, I went down to see Commodore Vanderbilt and told him what General Banks had said about it, and he gave me a list of vessels. I told General Banks that I thought I was not competent to decide upon steamers, for I was not an engineer, but that I would want somebody else to make this examination. I thought it would be better to have somebody that was more competent. He said that they had already thought of Mr. Charles Haswell, who was an engineer, and who was examining steamers here for the underwriters and knew all about the steamers. I told him I thought it was a very good appointment. He then gave me a letter authorizing me to employ Mr. Haswell. Of that letter I will furnish you a copy, if you desire it. I therefore employed Mr. Haswell for the purpose of making an examination of the steamers for this expedition.

Question. What did you understand was your duty in this connexion; was it to thoroughly overhaul, examine, and inspect the different vessels employed by Commodore Vanderbilt?

Answer. I never so understood it, for Commodore Vanderbilt had the authority of the government to employ these vessels.

Question. What was your distinct business?

Answer. My distinct business was to go on board, ascertain the number of people they would carry, and the stores, &c., and to see that they were not overloaded; and I visited all the ships repeatedly during their outfit for that purpose.

Question. Do you know anything of the M. Sanford?

Answer. Yes, sir. I was on board of her repeatedly.

Question. Did you examine her as to her sea-worthiness?

Answer. I did examine her—that is to say, I required from Mr. Haswell a written statement of the condition of every vessel. I considered him the examining officer. I have his report upon every steamer. I went with him upon all these occasions.

Question. I understand Mr. Haswell to be an engineer?

Answer. Yes, sir, but not only that; he examined the hull and rigging, and so reports.

Question. Is he employed by the board of underwriters to examine hulls also?

Answer. Yes, sir; so I understand. He has a statement of every steamer in the harbor, I believe. I have here his report, and can furnish you a copy. I told him, when I was authorized to employ him, that he must make a written report of every vessel.

Question. Then, commodore, the whole responsibility, as I understand it, for the examination of the hulls, engines, and equipments of every description, rested upon Mr. Haswell?

Answer. Certainly. Mr. Haswell was appointed by General Banks through me.

Question. Why was Mr. Haswell selected for this purpose?

Answer. Because I told General Banks that I was not competent to decide upon steamers. I was not the person to decide upon that

question; nor did I ever select any of these vessels. The vessels were selected by Commodore Vanderbilt. After I stated to General Banks that I thought I was not the proper person to decide upon the steamers, General Banks issued the following order:

"HEADQUARTERS BANKS'S EXPEDITION,
"*New York, November* 17, 1862.

"COMMODORE: The general commanding authorizes you. in the special service in which you are engaged, to avail yourself of the assistance of Nicholas H. Haswell, his services to be compensated at the rates usual in this city for similar inspections.

"Very respectfully, your obedient servant,
"RICHARD B. IRWIN,
"*Lieutenant Colonel and A. A. G.*

"Commodore G. J. VAN BRUNT,
"*United States Navy, New York.*"

Question. Do you know anything of the Jersey Blue?

Answer. Yes, sir. I was on board her frequently. Commodore Vanderbilt told me he had engaged the Jersey Blue, and wished her to be inspected. I told Mr. Haswell to go down with me and look at her. We went there, and examined her. I can also furnish the report in her case. I was here entirely without authority. I had no authority to control those army officers I could not control Commodore Vanderbilt. It was a curious position to place me in. All I could do was to recommend. I told Commodore Vanderbilt frequently that these small vessels were not such as I would have selected. As to the Jersey Blue, she had been in the employ of the government a good while. She had been down in the Burnside expedition previously.

Question. Were these reports of Mr. Haswell, in regard to the condition of the different vessels, submitted to Commodore Vanderbilt?

Answer. Yes, sir; always. I do not know whether he read those written reports; but Mr. Haswell and myself always reported to Commodore Vanderbilt, for I have been in the office of Commodore Vanderbilt ever since I have been on this duty. I told him in general terms that I had looked at the vessel, and she would carry so many men and could be berthed for so many men; that she had such and such capacity; but if I had the selection and fitting out of these vessels I would not have taken any of these small vessels. One thing I desire to say to you; that is, I had no knowledge, up to three days ago, of what service was required of these vessels; how far they were to go.

Question. Would some of these vessels that went on the Banks expedition have been proper vessels to go as far as the Chesapeake?

Answer. Perfectly.

Question. But wholly unfit to go beyond Cape Hatteras?

Answer. I would not have sent them myself. They were considered competent, however.

Question. If you had known where the expedition was going, and the selection of the vessels had been left to you, were there many of these vessels that you would refuse to have employed to go on this expedition?

Answer. Yes, sir; I would not have taken any of these small propellers or river steamers. I had frequent conversations with Commodore Vanderbilt, and told him if I had the selection of these vessels I would prefer fine first-class sailing ships, if we could not get first class steamers.

Question. I observe in this report, as to the condition of the Jersey Blue, that Mr. Haswell reported her "condition and seaworthiness in hull, engine, and boilers, as fair, under very favorable circumstances of weather, and her security and provision against fire indifferent."

Answer. That is the case with all these small vessels. The security against fire is not perfect in any of the small vessels.

Question. Is the same character of report made as to their being rated as "fair" as to seaworthiness "under very favorable circumstances of weather?"

Answer. No, sir; not all of them. There are different classes of them. That is a small vessel. My supposition always was that these small steamers of light draught of water were selected for the reason that they would be wanted when the expedition reached its destination to transport the troops in shoal water, and to be used as tugs, &c. I did not know it, because I had no knowledge of the services required.

Question. Were you on board the Niagara?

Answer. Repeatedly.

Question. What report did Mr. Haswell make as to her?

Answer. I have his report here. He reported her condition and seaworthiness, in hull, engines, and boiler, to be fair, and her security and provision against fire indifferent. That appears by his written report, now before me. A similar report is made in every one of these cases.

Question. Do you know whether Mr. Haswell examined particularly the timbers and hulls of these vessels?

Answer. Yes, sir. I went on board with him. I saw her on the ways, in the first place, when she was putting her sponsons on. I went over there and she was on the ways at Jersey City, and Mr. Haswell examined her. I was with him. Her bottom appeared fair, and was, no doubt. The sponsons on that vessel were put on tight, as was supposed, and the subsequent difficulty arose, as I suppose, from the fact that her sponsons leaked before she got to Philadelphia, and filled with water. The vessel became logy; the men got frightened, and they run into Delaware breakwater. Any man who knew anything about this subject would tell you that, if they had taken a plank off, so as to allow the water to run in and out, that difficulty would have been overcome; because these sponsons were simply to break the sea off of the guards, and if they had taken a plank out, she would have been perfectly seaworthy. There was no evidence

of weakness about her. I went around her, and if I had discovered any evidence of weakness, I would have noticed it. I believe she would have performed her voyage.

Question. To New Orleans?

Answer. Yes, sir; I believe she could; that is my opinion about it; I examined her particularly; I was on board her particularly when she sailed; I went aboard to see that she was not overloaded; there were about one hundred men then alongside, and a large amount of freight was also lying there in a lighter, barrels, &c.; I said to the quartermaster, "You are loading this vessel too deep; you must not put those men on board; neither must you put that material on board, because it is too large a quantity; I think she now has enough on board;" she then had 440 men, as near as we could ascertain; at my request they were taken away from her and placed on another vessel, and she went with only those men on board her. That vessel could easily have taken 500 men if she had not been overloaded with stores; she had room for that number. The great difficulty is that they crowd all these vessels with stores from the quartermaster's, commissary's, and medical departments; it is one of the most difficult things to keep them in order.

Question. Who determined the number of men to go on each vessel?

Answer. I suppose I determined that, because I had the vessels measured.

Question. How many men were allowed per ton?

Answer. We did not design them per ton, but by the space for berths, &c.

Question. Who determined the amount of quartermaster's stores to go on each vessel?

Answer. I had nothing to do with that; when she was ready for the stores it was reported to the commanding general, and he ordered them to be put on board.

Question. How could you prevent the vessels from being overloaded if you determined the number of passengers and another man, as quartermaster, determined the amount of freight?

Answer. I could not; I could not control it; I could only go aboard before she went to sea, and if I thought she was overloaded I so reported it to the commanding general.

Question. Had you the power to cause anything to be taken out of her?

Answer. No, sir; I merely recommended; I had no power over anybody.

Question. You acted merely as consulting agent?

Answer. That is all.

Question. You had no power?

Answer. No, sir; I could not take or reject a vessel without consulting Commodore Vanderbilt; I had the Philadelphia rejected; I went aboard of her and found rotten timbers about her; she was an old vessel; I saw the rot myself; I took my knife and dug into it, and when I reported it to Commodore Vanderbilt he said, "We will not

take her." My intercourse with Commodore Vanderbilt throughout this whole matter has been of the most pleasant kind; he was acting, as I thought, with great patriotism, in serving the government for nothing. I believe religiously that he has saved the government fifty per cent. in fitting out these vessels.

Question. Had you anything to do with the sailing vessels?

Answer. Yes, sir; I went on board every sailing vessel that has been employed; I feel myself responsible for those.

Question. Through what agent were they selected?

Answer. They were, with two or three exceptions, selected by Mr. Southard, who was recommended by General Banks for the purpose, being acquainted with fitting ships, particularly for horses, and he has fitted them up admirably. We have taken none but first class ships; I think they are all first class vessels. Mr. Southard I found a very able man, and one who understood a ship as well as any other man that I ever saw, and he required the vessels to find certain articles which before were found by the government.

Question. Which of the sailing vessels were first taken?

Answer. I think the T. J. Southard was the first one, of 1,080 tons; then the Moro Castle, the Sparkling Sea, the Jenny Beals, the Olaman, &c. I think that was the order in which they were taken, as near as I can recollect.

Question. (By Mr. Morrill.) Do I understand that you had nothing to do with the selection of the vessels?

Answer. No, sir; nothing at all. He reported these vessels to Commodore Vanderbilt. Then I went and examined them; but I feel that the sailing vessels are all right. I think there can be no question about the sailing vessels. Commodore Vanderbilt in the first place took all the best sea-going steamers in the harbor. General Banks was hurrying him very much, and he was obliged to take these small vessels, because it was necessary that they should go down there quickly. These vessels had been employed by the government before; I think all of them had been.

Question. Do you know anything of the steamer New Brunswick?

Answer. Yes, sir.

Question. Where was she formerly in the employment of the government?

Answer. That I cannot tell you. I never saw her.

Question. What was her character and capacity?

Answer. She is 850 tons. We estimated, in the first place, that she could take 800 men. Afterwards she did take but 595, in consequence of her being loaded too deep with material to carry more. There was too much material aboard before the men were taken on board.

Question. How was the New Brunswick reported to you by Mr. Haswell?

Answer. I have before me the report on the New Brunswick. He reported her condition in seaworthiness of hull and seaworthiness of

boilers to be good, and her security and provision against fire as indifferent.

Question. (By Mr. Morrill.) What do they mean by "indifferent?"

Answer. He means that they have not all the appliances that large first class steamers have. It is a form they have. Mr. Haswell can state what his object is in making the report in that form. They have certain forms, and that is the way in which he reports vessels to the board of underwriters.

Question. (By the chairman.) Do you know anything of the history or ages of these vessels?

Answer. No, sir.

Question. Did you inform yourself?

Answer. No, sir. I never saw them to examine them before. I saw most of them in the roads repeatedly. Most of these small steamers were engaged in the same service on previous expeditions.

Question. Was the Niagara?

Answer. I cannot tell; but she has been employed by the government. The owner, Mr. Richardson, will tell you all about that. He told me that he had expended $9,000 in putting that vessel in order. As far as could be seen, she was in good repair. There was no evidence of weakness; but the soldiers got frightened and ripped off her ceiling with their bayonets, and found some rotten timber. And let me say to you, in connexion, that I have a statement of the officers and crew which was, and a statement of the captain who commanded her previous to her going out on this expedition, (Captain Havens.) I can furnish them to you. I desired to be put in possession of the whole of the facts. This man came into the office, and I requested him to give me a written statement of the exact condition of the vessel. I desired the country to know it, and I am very glad of this investigation.

Question. That statement says she is as fit, probably, as any vessel of her age; but she is nineteen years old?

Answer. I don't know what her age is.

Question. Was this statement of the crew and officers of the ship signed before they started?

Answer. No, sir; at Philadelphia. Here is also a statement of the pilot.

Question. What was the shape of her hull?

Answer. She was a common passenger steamer. She had been running in the Sound here.

Question. A vessel may be fit for inland navigation and yet unfit for outside navigation?

Answer. Undoubtedly. She was called a Sound boat.

Question. Was she fit for outside navigation?

Answer. She was for running along the coast.

Question. But was she for an expedition going 3,000 miles?

Answer. I would not have taken her myself for that. She would have gone to Hampton roads, I have no doubt.

Question. I understand you to say that while all these vessels, in your opinion, were fit to go as far as the mouth of the Chesapeake with safety, yet they were unfit to go on a cruise as far as the mouth of the Mississippi?

Answer. That is my opinion. I would not have sent them.

Question. Had you known that the expedition was to go as far as the mouth of the Mississippi river, would you have protested against troops being embarked on them?

Answer. I should, undoubtedly. I did protest so far as to say to Commodore Vanderbilt, "I would not send these vessels, but you know where they are going and for what they are wanted."

Question. Do you know or have you reason to believe that any persons who chartered vessels for this expedition were compelled to pay, or did pay, or promise to pay any per cent. to any party or parties to secure charter-parties for their vessels?

Answer. None, to my knowledge. I know of nothing of the kind. I know that it is a custom here in New York to employ brokers, and pay them a certain percentage to get their vessels employed. That is done every day here. I should not be surprised if it were the case with some of the sailing ships that brokers have been employed; for I know that brokers have come there and offered ships, but Mr. Southard has told me repeatedly that he did not charge one cent for his services. He has been here quite two months engaged in fitting these ships.

Question. Do you know who furnished the ship-chandlery for these sailing vessels?

Answer. No, sir; I don't know anything about it.

Question. (By Mr. Morrill.) Did you superintend the supplies?

Answer. No, sir.

Question. (By the chairmam.) What, according to your judgment, would be the value of the ship-chandlery that would be furnished to one of these sailing ships?

Answer. Very little, sir. I don't think it amounts to much. These ships were required to take whatever number of officers they could accommodate, and the officers were charged not to exceed one dollar a day for their board; and they were obliged to provide for them. That Commodore Vanderbilt put in the charter-party to prevent the officers being imposed upon. On the large steamers the officers went free. He commenced it on the Northern Light and put it in his charter-party that the officers were to go without cost. He said it was a small matter. He took 100 officers, I think, in his ship, the Northern Light, and he said in the charter of all these large steamers they should furnish the officers free of expense. In the smaller vessels they were to furnish them, but the charge was not to exceed one dollar a day. I don't think it amounted to much in any case, but I have no knowledge of anything about it, as I did not attend to anything of the kind.

Question. Is there any rule established in the British service as to the number of persons that may be put on board of transports?

Answer. I know of none, sir. I suppose that depends very much the kind of service that is required. Their transports are fitted for long voyages to India and other distant points in the British onies. I dare say they have rules, but I do not know them. In transportation of passengers from here to England they are very ingent in their rules as to what vessels are to carry, but we have had much of that kind of transportation to do.

Question. What would be the time ordinarily required to go from re to New Orleans?

Answer. That would depend on the season of the year. I told Com-dore Vanderbilt that at this season winds prevail from the north-rd, westward, or eastward; in either case they would run down and en take the southeast trades and run into the Gulf. I told him that good sailing ship would make the passage nearly as quick and cer-inly much safer than steamers. But we have now about as many iling ships as steamers—twenty-six sailing ships, and they are all st class vessels.

Question. Who had the control or the power to determine as to the alifications of the navigators and engineers of these vessels; or was ere any inquiry made into the capacity of the men connected with ose duties?

Answer. No, sir. That is done by the underwriters. They are ost interested in that thing and believe no inquiry was made into . That is one of the troubles to us. We do not know when we nd a vessel to sea whether the man in command can navigate her not. These men profess to know the coast, and it is to the inter-st of the underwriters to ascertain that they are skilful.

Question. Would it be prudent and safe to start a vessel out from ere to New Orleans with a mere pilot who knew the coast? Would not be the dictate of prudence and wisdom to also put navigators board?

Answer. Certainly. It is presumed that the owner would not put man in as captain who is not competent.

Question. Is it not a rule in the merchant service that, in addition the captain, there should be three men on board capable of navi-ating the vessel?

Answer. I think not. I think there is no such rule or law; I think e owners determine that for themselves. I do not think there is ny inquiry made into it at all, even by the underwriters. That ought be the rule, but I think it is not. It is generally supposed that he captain and mates of a ship are navigators. I think they are not mployed without they are. I would not employ them if they were ot.

Question. Then there was no inquiry made on that subject by you r any other party representing the government?

Answer. No, sir; none at all. I take it for granted that every captain of a ship understands how to navigate her. I will say, in addition, I had no authority, under my orders, to act as inspector. I never considered myself as inspector at all; I could not do it, under

the circumstances. I was to "supervise" the outfit of the expedition.

Question. When the Niagara left here was she, in your opinion, overloaded; and if so, who was responsible for it?

Answer. You ask for my opinion. I examined her previous to her sailing, and did not think she was overloaded, as she had but 440 men, with their equipments, stores, &c., on board. She was calculated to carry 500. If I had found her overloaded, and had failed to report it to the commanding general, who alone had authority to correct it, I should have been responsible.

G. J. VAN BRUNT,
Commodore United States Navy.

The following are the papers alluded to by Commodore Van Brunt:

STATEMENT OF CAPTAIN HAVENS.

The undersigned, former master of the steamer Niagara during the time said steamer was in the employ of the government previous to the last trip, and also as a passenger steamer on Long Island sound, in all weather found her able, staunch, and strong, never showing any sign of weakness in any part of her. I offered to take her south, and my pilots wished to go with me; but as my owner would not consent to my leaving her and returning to my route here, I did not go. I have been on the sea for twenty years, and believe the Niagara as good as most vessels of her age, and capable of performing the service she was sent upon; and had she continued on her voyage to her destination, no complaint would have been made of her after her arrival.

WICKHAM S. HAVENS.

NEW YORK, *December* 20, 1862.

STATEMENT OF OFFICERS AND CREW.

STEAMER NIAGARA,
Philadelphia, December 16, 1862.

We, the undersigned, being the officers and crew of this steamer, having learned that a report has been made by the military officers now on board to the effect that the "boat is unseaworthy and a poor sea-boat, and, consequently, unfit to proceed on her voyage," desire to say that, in our judgment, the vessel *is* seaworthy, and *is* a good sea-boat, and *is* in a serviceable condition to proceed on the voyage. Many of us have been on the boat a long time, and feel ourselves as competent to judge, perhaps, as any others can be; and we do not hesitate to say that the boat is as safe and seaworthy as any other of her kind.

Such is our confidence in her good qualities that we are willing to, and desirous of, proceeding on the voyage in accordance with the instructions of the government. We desire further to say that the

statement reported to have been made by the officer before referred to, viz: that we were in danger, and therefore put in at the Delaware breakwater, is entirely untrue. It is not true, either, that we had our guards "knocked up;" nor is it true that we made only five miles per hour, the boat performing as well as could be expected. It having, as we learn, been also reported that the boat was on fire, we wish here, most emphatically, to deny it. It is true that a very small part of the waste was discovered on the boat *smoking*, and it was thrown overboard. During its removal it ignited, but in no way to damage the boat.

It is true that the spandings leaked; but that difficulty was soon remedied, and we could have proceeded on our voyage without risk. But the troops on board had evidently made up their minds (indeed, they so expressed themselves) that they would not go on this boat, and their action, disgraceful in the extreme, has been to prevent it.

The officers before referred to have seen fit to state, in one of the Philadelphia papers, that the captain was obliged to put his vessel in at the breakwater in consequence of her leaky condition. We wish to say that this statement is also false. The boat is perfectly tight, and shows no signs of leaking.

JNO. GEO. DORRY, *Master.*
OTIS R. YOUNG, *Mate.*

Frank Shannon, pilot.
John C. Varran, engineer.
Thos. McDonough, 2d engineer.
Martin Doyle, 3d engineer.
Eri Darling, steward.
G. R. Clough, watchman.
Wm. Ebtly, wheelsman.
Lent. Rehpburgh, wheelsman.
John Jones, deck hand.

John his + mark. Delay, deck hand.
Edward his + mark. Whaling, deck hand.
Thos. Colton, deck hand.
John Dority, fireman.
Kuran Horan, fireman.
Michael Ennis, fireman.
John Memesey, fireman.
Sidney Brown, cook.

The witness, Commodore Van Brunt, presented the following documents as explanatory of the testimony concerning the inspection and classification of vessels:

NEW YORK, *November* 24, 1862.

SIR: I have to submit the following report regarding the steamer Memenon Sanford:

1. Her condition and seaworthiness in hull and engine and boiler is good, and her security and provisions against fire are indifferent.
2. In tools and extra pieces of the character and extent necessary for ordinary repairs, her provisions are fair.
3. In anchors, chains, hawsers, &c., she is fully provided.
4. Her draught of water, with half stowage of fuel, will be eight feet four inches, and when fully loaded, as required, nine feet ten inches.
5. She has capacity for the transportation of 750 troops.

6. With the underwriters her class is five—rate A 1½; security and provisions against fire, indifferent.

I have the honor to be, very respectfully, your obedient servant,

CHAS. H. HASWELL,
Engineer and Surveyor.

Commodore G. S. VAN BRUNT,
United States Navy, New York.

Memorandum of the new system of classification of steamers.

Class one—Sea-going steamers having two engines and sufficient spread of canvas. Class two—Sea-going steamers having one engine and sufficient spread of canvas. Class three—Sea-going steamers having two engines and insufficient spread of canvas. Class four—Sea-going steamers having one engine and insufficient spread of canvas. Class five—Steamers wholly navigating sounds, lakes, and rivers, or such as by their construction are only adapted to such navigation.

The rates in each class to run from A 1 to A 3, by halves only, and to depend on the following conditions, added to those of ordinary consideration, viz: Character and condition of machinery; security of openings in bottom of hull; security of propeller bearing and rudder post; if the hull is coppered; construction and location of boilers if fitted with bilge injections and independent steam-pumps.

The underlining of a rate by two lines (=) signifies that the rate is between that and the grade next below it.

The rates for security and provisions against fire are there, viz good, indifferent, and insufficient; and will depend upon the character and condition of lining to chimney rooms, coating of boilers, use of blowers, and being provided with independent steam fire-pumps.

NOTES.—Steamers on the run to their intended route will hereafter receive a rate for the sea risk, in addition to that due to their proper route.

In the case of steamers upon distant stations, the *existing* character of the security and provisions against fire must necessarily be unknown.

CHAS. H. HASWELL, *Surveyor.*

NEW YORK, *January* 1, 1854.

NEW YORK, *Wednesday, December* 31, 1862.

HENRY E. NESMITH, being duly sworn, testified as follows:

Examined by the chairman.

Question. State, if you please, your residence and occupation.

Answer. My residence is in the city of Brooklyn. I am a member of the firm of Nesmith & Sons, of New York, ship-owners and commission merchants; "shipping and commission," we call ourselves.

Question. Did you charter for yourself, or any other party or parties, any vessels for what is known as the Banks expedition?

Answer. Yes, sir.

Question. State, if you please, what the names of these vessels were.

Answer. One was the ship Aquila, for parties eastward—a ship that was consigned to us here. The other was the ship Alice Counce. We are part owners and agents. That is all, sir.

Question. At what time did you charter these vessels?

Answer. I could not give you the exact dates. I should think the Aquila was about six weeks since. The Alice Counce now lies here. Her charter commenced on the 8th of last month.

Question. For how long a time were they chartered?

Answer. Three months was the time in the charter-party.

Question. Through whom did you effect the charter-parties?

Answer. T. J. Southard.

Question. Where does Mr. Southard reside?

Answer. In Richmond, Maine.

Question. Did you apply in the first instance to Mr. Southard, or some other person?

Answer. I first applied to another party.

Question. To whom?

Answer. To Cornelius Vanderbilt.

Question. What reply did you receive from him upon making that application?

Answer. The first reply was that there were no sailing ships wanted, or "sail-boats," as he called them; but when they wanted any, we should have word sent to us. A few days afterwards, I ascertained that Mr. Southard had chartered two or three ships that he was interested in, as well as two or three other ships. One of these we had to our consignment, belonging to neighbors of his, eastward. I then applied to Commodore Vanderbilt again, and was referred by Commodore Vanderbilt to T. J. Southard.

Question. Was your contract made directly with Mr. Southard, or through the intervention of some other party?

Answer. The contract was made through Mr. Southard. He has a son in business here. I went into his office several times, but the conversation and the reply, I think, was made in Commodore Vanderbilt's office—I think in the outer office of the building where he is. He replied that he would accept the ship. The original contract, it was my understanding, was made with T. J. Southard.

Question. What per cent. were you required to pay Mr. Southard to secure the charter-party of your vessel?

Answer. The commission named was five per cent.

Question. Was it five per cent. upon the gross earnings of the vessel during the continuance of the charter-party?

Answer. Yes, sir. The government has the right to extend the charter if they wish it. We pay five per cent. commission upon the gross amount of the charter.

Question. Did you enter into a written contract?

Answer. Yes, sir; but it is not signed by myself. It is signed by the captain.

Question. Do you now mean the charter-party?

Answer. Yes, sir, and the agreement for the commission, also.

Question. Who was it signed by on the part of Mr. Southard?

Answer. The agreement for the commission was not signed by any one on his part. It was merely a one-sided agreement to pay certain commissions.

Question. To whom is it taken?

Answer. It was taken without name.

Question. Was the payee in the contract left blank?

Answer. Yes, sir.

Question. Was the consideration for the contract the procurement of the charter-party?

Answer. Yes, sir.

Question. Was this the case in regard to the Aquila and the Alice Counce?

Answer. Yes, sir. The agreement in regard to the Aquila was signed in the office of Southard, Wright & Hussey, and handed by Mr. Wright to the captain to sign.

Question. Were the other sailing vessels, so far as you know, chartered for this expedition, procured by Mr. Southard?

Answer. Yes, with the exception, I believe, of the L. L. Sturges and the George Peabody, and another large ship. Mr. Russell Sturges chartered them the L. L. Sturges. The George Peabody belonged to William F. Weld & Co., of Boston. I forget the other ship.

Question. Was it the Belle Wood?

Answer. Yes, sir. Those three vessels were chartered by Mr. Russell Sturges. They were chartered here. The ships were here at the time. I presume that Russell Sturges got the George Peabody from Crocker, Wood & Co., or J. W. Elwell & Co.

Question. Who supplied the ship-chandlery for your vessels?

Answer. The Aquila was supplied by Neff & Merrill. The Alice Counce has not received her supplies. They will be from the same parties.

Question. What relation do they hold to Mr. Southard?

Answer. Mr. Merrill is a son-in-law of his, I believe.

Question. Are you under obligation to procure your ship-chandlery from them for the Alice Counce?

Answer. I made an offer of that kind myself.

Question. Did you make that offer because you knew it was necessary in order to secure the charter of the vessel?

Answer. I cannot say that I did.

Question. (By Mr. Morrill.) Was it an inducement?

Answer. Possibly it might have been an inducement.

Question. (By the chairman.) Did you make it because you had been informed that such contracts were necessary in order to secure charter-parties before?

Answer. I had heard so; but still I would not like to go so far as that. It was my own offer.

Question. How many of these 26 sailing vessels chartered for this expedition secured their ship-chandlery of Neff & Merrill?

Answer. I should think the majority; still I could not answer correctly on that.

Question. How much is the value of the ship-chandlery for vessels of that kind for such a voyage?

Answer. They fit out probably for six months, and stores are the principal item. I could not give you the exact figures. These ships are fitted for six months. As to the officers, I believe the captain takes care of them himself; they make a contract at one dollar per day each; that is generally for their own benefit if they can make anything out of it. I cannot give you the exact figures. The ship-chandlery would be owing to the state the ships came in in; some require more than others. I should suppose the bills would be $1,200 to $1,500 each.

Question. Do you know of more than five per cent. having been paid, either directly or indirectly, to Mr. Southard, or any member of his family, or any firm of which a member of his family is a partner?

Answer. I do not, sir.

Question. Do you know of the intervention of any other brokers or agents in the procurement of charters except the broker who was the immediate agent of the owner and Mr. Southard or his firm?

Answer. I cannot say that I do, except this case I spoke of, of Mr. Sturges; but that had nothing to do with Mr. Southard.

Question. In chartering those two vessels you acted as the agent of parties to the eastward, and you charged them a per cent. in those cases?

Answer. Yes, sir. One ship was ours.

Question. The ordinary charge for ship-brokerage in New York is what?

Answer. Two and a half per cent.

Question. Then the owners in these cases were required to pay seven and a half per cent?

Answer. No, sir; I wrote our friends, Messrs. Oliver Moses & Sons, the owners of the Aquila, that, in consequence of having this large commission to pay, we would not charge them more than one and a quarter per cent. The other ship we owned with Mr. William Singer, of Thomaston.

Question. State whether or not you have paid to Mr. Southard five per cent. upon the charter-party of the ship Aquila?

Answer. We did; we paid it to his son.

Question. Did you receive any voucher or evidence of payment? If so, state what it was.

Answer. There was a bill presented and a receipt taken for the money paid. His son received the money for him. The following is a copy of the bill and the receipt:

Ship Alice Counce, or owners, to T. J. Southard. Dr.

1862.

Dec. 8. For 3 months' commissions on charter to Banks expedition, 1,156$\frac{88}{95}$ tons, at $3 75 per ton a month, $1,315 41, at 5 per cent. $650 77

Received payment December 23, 1862.

T. J. SOUTHARD,
Per C. H. T. J. SOUTHARD.

Approved:

WILLIAM J. SINGER.

Received, New York, December 13, 1862, from Messrs. Nesmith & Sons, six hundred and seventy-one dollars and forty cents, for bill commissions ship Aquila.

$671 40.

T. J. SOUTHARD,
Per C. H. T. J. SOUTHARD.

Question. Who is C. H. T. J. Southard?

Answer. T. J. Southard's son.

Question. (By Mr. Morrill.) In addition to this five per cent. you charged one and a quarter per cent.?

Answer. Yes, sir.

Question. You did not share this five per cent. with Mr. Southard?

Answer. No, sir; we did not get a cent of it.

Question. Was there any arrangement by which you were to share this money?

Answer. No, sir. The only conversation was, I told him "I understand we are to be put on the same terms with other parties;" and, in closing up the transaction, he said to me he could make no return; that he had to do with somebody, and that there was something behind. That was the sum and substance of the understanding—that there was something else; that he had to take care of somebody else, and, of course, I would have to stand to one side.

Question. (By the chairman.) The effect of the transaction, then, was to deprive you of one and a quarter per cent. of your legitimate commissions?

Answer. Yes, sir; of one and a quarter per cent. Two and a half per cent. is the regular rate. Sometimes, when the amount is very large, we make it less.

Question. Is it ever more?

Answer. Yes, sir, when there are two or three parties concerned.

Question. Suppose this vessel should be retained by the government for a period of time exceeding three months; are you under obligation, in honor or law, to pay Mr. Southard five per cent. upon the amount that may be received after the expiration of the three months' charter-party?

Answer. The signed agreement made by the captain is still in their hands, which binds the vessel for the payment of five per cent. on the extended time of the charter.

Question. So that the owners of the vessels, or the representatives of the owners of the vessels, were compelled to pay their five per cent. for three months on the charter-parties in advance?

Answer. Yes, sir.

Question. And then enter into a written agreement to pay five per cent. upon any amount that might be received upon the continuance of the charter-party?

Answer. I don't know whether you understand me; the original agreement he still holds, which binds them for the three months, and any continuation of the time. When he collects that bill, he still keeps that agreement back.

Question. Did you charter any vessels for the Port Royal expedition?

Answer. No, sir.

Question. Did you charter any for the Butler expedition to New Orleans?

Answer. No, sir; we did not.

Question. Did you charter any for the Burnside expedition?

Answer. No, sir.

Question. Did you charter any for what is called the McClellan expedition?

Answer. No, sir.

Question. Have you chartered any vessels to the government or government agents prior to these you have mentioned?

Answer. No, sir. We have had ships that have been in our hands taken out in that way by other parties—by parties in Boston and by parties here; that is, where this business would be offered them by other parties. We had one case in this expedition—the Olamon. She was to our consgnment, but the business being offered by Mr. Southard direct. and he being a neighbor of the owner, we stood to one side, and on that we get nothing. There were one or two ships we had here during the time Captain George was chartering the Butler expedition in Boston. We wrote the owners to call upon him in Boston. Out of that we got nothing; we had to stand aloof.

Question. Was the reason that you stood aloof from chartering any vessels to government agents for prior expeditions, because you were compelled to pay a percentage to those who represented the government in the transaction of this business?

Answer. I should say that that was one reason.

Question. Do you know anything of the rates that have been paid to the government agents for any of these prior expeditions to enable parties to secure charters?

Answer. Only from hearsay.

HENRY E. NESMITH.

NEW YORK, *Wednesday, December* 31, 1862.

THOMAS D. TAYLOR, being duly sworn, testified as follows:

Examined by the chairman.

Question. Where do you reside, and what is your employment?

Answer. I reside at No. 61 Johnson street, Brooklyn. My place of business is at No. 35 Wall street. I am marine inspector and editor of the American Lloyd's Register of Shipping.

Question. Had you anything to do with fitting out any of the vessels in the expeditions sent out by the government within the last few months?

Answer. No, sir.

Question. Are you familiar with any of the vessels chartered for these expeditions?

Answer. With some of them I am. I do not remember the names of them; I paid so little attention to their going off.

Question. What is the business of a marine inspector?

Answer. To examine vessels to ascertain their seaworthiness to go to sea.

Question. Are you in the employment of the ship-owners?

Answer. I am in the employment of a marine insurance company.

Question. Did you ever inspect the steamer Niagara?

Answer. Not specially, but I have been aboard of her.

Question. When did you see her?

Answer. In July last.

Question. Did you regard her as a seaworthy vessel?

Answer. No, sir; I did not regard her as a seaworthy vessel.

Question. Do you know her age?

Answer. Well, on my reports I think I have got her down as built in 1844.

Question. Where was she built?

Answer. To the best of my knowledge, in Niagara City, on the lakes somewhere.

Question. What do you estimate her value to be at the time she sailed on the expedition?

Answer. If I were going to purchase her myself, I probably would not give over $6,000 or $7,000 for her. All she was worth at all was her engines and the iron about her. For a boat for cargo and passengers, to go outside of Sandy Hook, I would not have sent my dog outside in her for safety.

Question. If she was fit for any sort of employment, it would be on some inland waters?

Answer. Yes, sir. She might have done to run up and down North river here, perhaps, but I would have been afraid to have trusted passengers aboard of her then.

Question. Do you know the Jersey Blue?

Answer. I have seen her.

Question. Did you inspect her and examine her?

Answer. Yes, sir.

Question. Was she a seaworthy vessel?

Answer. It was some years ago. No, sir; I do not consider these vessels fit to go outside.

Question. What of the Quinebang?

Answer. She is one of the same style of boats.

Question. Shetucket?

Answer. She is one of the same class of boats—only calculated to run in the sound.

Question. The Charles Osgood?

Answer. The Charles Osgood was a better boat than any of those you have mentioned.

Question. The James S. Green?

Answer. I do not know her.

Question. The Quincy?

Answer. The Quincy was built in Buffalo in 1857. She was altogether uncalculated for outside navigation.

Question. The Saxon?

Answer. I am not familiar with her.

Question. The Haze?

Answer. The Haze is a good boat.

Question. The Prometheus?

Answer. She is a good boat; I examined her.

Question. The Albany?

Answer. I am not familiar with her.

Question. The Cambria?

Answer. She is a very fine boat—an iron boat. She was taken by the blockading squadron, and refitted here or in Philadelphia.

Question. Do you know the Mary A. Boardman?

Answer. I have seen her, but I have never examined her.

Question. The Continental?

Answer. The Continental was a good boat.

Question. The New Brunswick?

Answer. I don't know her.

Question. The Honduras?

Answer. She is a little boat, not calculated for outside work. She was built here some two years ago. I think she was built for carrying cattle.

Question. Do you know anything of the sailing vessels employed for the Banks expedition?

Answer. I think I do. Those 26 vessels in that list (see list of vessels in testimony of Cornelius Vanderbilt) are all good ships for that class of ships. They are a good class of ships.

Question. Are you familiar with the rates at which vessels are chartered at this time and have been for the last year?

Answer. No, sir; that is not a part of my business.

Question. Are you familiar with the subject of the stowage of vessels and their capacities?

Answer. Well, I have been; when I went to sea I have been in

ships where they carried passengers from Liverpool and Havre to the United States ports.

Question. Do you know how many passengers were stowed on each vessel for the Banks expedition?

Answer. No, sir. I have never been called upon in any way for any of those expeditions, and have felt no interest in them.

Question. How many passengers would be a humane and proper number for a vessel like the Montebello, of 1,049 tons?

Answer. It depends on how many decks she has. That vessel is a two-decked ship. I think about 400 or 450 men, to make them comfortable.

Question. Is it your opinion that about the same number should be allowed for other vessels of that description?

Answer. Yes, sir; say, from 900 to 1,100 tons, 450 to 500 would be quite enough for health and comfort.

Question. Is your opinion of the unseaworthiness of the Niagara based on the fact that she was an old vessel and was decayed, or upon the fact that she was improperly constructed for outside navigation?

Answer. On both of those accounts. She was improperly constructed for outside navigation, and was a rotten, decayed vessel, entirely unfit for service without thorough overhauling and repairing. I was astonished at the chartering of that vessel. I did not know how it could be possible that such a vessel could have been taken into the employment of the government.

Question. Could such a vessel as the Niagara be seaworthy if her bottom were in fair condition in its appearance on the outside, but her main timbers, her beams, all completely rotten?

Answer. No, sir; she would not be qualified to go to sea. I have reason to know about the Niagara. I went aboard of her last summer. She ran from here to Greenport, on Long Island, in a passenger trade. It was general talk with every person that knew anything about the boat that she was a rotten boat; that they were afraid she would sink some night in the sound while they were going down.

Question. I understood you to say that vessels of the class of the Jersey Blue were unfit for outside navigation?

Answer. There may be circumstances under which a vessel of that kind might go outside, but they are very rare.

Question. Is it, or not, the fact that a vessel might go safely as far as the capes of the Delaware or Chesapeake and yet be wholly unfit to go beyond Cape Hatteras?

[illegible]swer. Yes, sir. A vessel might leave here this morning and [illegible]able time, and get along as far as the Delaware, but [illegible]y can proceed further or go as far as Cape Hat- [illegible]e known it to happen that they get past Cape [illegible] gale or boisterous weather.

[illegible] know anything of the persons who were em- [illegible]ese propellers and steamers?

[illegible] do not.

[illegible]t be safe to intrust a vessel [illegible] a pilot who w[illegible]

not a navigator in undertaking such a voyage as from here to the capes of Florida or New Orleans?

Answer. No, sir. A man might go in a steamship, as pilot to carry her out of port and into port of destination, but when at sea the machinery might become disabled, they might have a gale of wind and be blown off to sea, and the man would not know how to get back again. He could not make any port; if he did, it would be accidental.

Question. Is there any rule among commercial men or insurance men as to the number of employés on board a vessel who shall be navigators?

Answer. It is generally two, sir; the captain and first officer. The underwriters require two navigators, also the merchants. I have never been in any merchant service where they employed less than two navigators—the captain, and one or two navigators with him.

THOMAS D. TAYLOR.

NEW YORK, *Wednesday, December* 31, 1862.

ANDREW J. RICHARDSON, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and employment.

Answer. My residence is in New York; my place of business is at No. 160 Fulton street; manufacturing is my employment.

Question. Are you the owner of the steamer Niagara?

Answer. I am.

Question. When did you buy her?

Answer. In June of 1862.

Question. Of whom did you buy her?

Answer. I bought her of the American Transportation Company on Lake Ontario.

Question. Where was she employed at the time you bought her?

Answer. On Lake Ontario.

Question. When was she built?

Answer. She was originally built in 1845 or 1846, I think, sir; and rebuilt in 1849.

Question. Where was she built?

Answer. I think at Frenchtown, on Lake Ontario.

Question. How much did you pay for her?

The WITNESS. Do you mean the original purchase?

The CHAIRMAN. Yes, sir.

Answer. The price of the original purchase was $10,000.

Question. In what business had she been engaged from the time she was built to the time you purchased her on Lake Ontario?

Answer. I cannot speak as to that from experience, sir.

Question. Speak from information.

Answer. She was used as a passenger and freight boat, according to my information.

Question. What employment was she engaged in before being chartered for the Banks expedition?

Answer. Perhaps it would be well for me to state that I purchased her to use her on a route on Long Island sound, but I found she was too heavy and drew too much water for that business, and I withdrew her from that route. That was about the time of the movement of General McClellan's army from the Chesapeake bay. She was taken up in August for the purpose of aiding in the removal of that army. She was returned to me in September. Since then she has been under the hands of the mechanics undergoing repairs.

Question. What amount of repairs?

Answer. Something like $10,000 or $12,000.

Question. What repairs?

Answer. I have repaired her engines and boilers, and have substituted timbers wherever it was discovered that they were needed; and they made general repairs.

Question. Under whose direction were they made?

Answer. Under the direction of competent joiners here in the city of New York.

Question. Who was the master workman or chief man?

Answer. I employed no such man. I don't know as I can now give the names of my principal men without my books.

Question. Who took her up for the McClellan movement?

Answer. Mr. John Tucker.

Question. At what rates?

Answer. At $400 a day.

Question. How long was she then in the employ of the government?

Answer. I cannot give the exact time. She was taken in August and returned in September. I think she was taken about the 20th and returned about the 20th.

Question. Did Mr. Tucker take her up directly?

Answer. Yes, sir, himself.

Question. Did you furnish the hands?

Answer. Yes, sir.

Question. How much did it cost to run her per day?

Answer. I can give you the exact cost from my books. It was, perhaps, $100 a day.

Question. Who chartered her of you the last time she was chartered?

Answer. Commodore Vanderbilt.

Question. Did Commodore Vanderbilt charter her himself?

Answer. Yes, sir.

Question. Was Commodore Vanderbilt familiar with her?

Answer. I don't think he was, sir.

Question. Had he ever been on board her?

Answer. I don't think he had, sir.

Question. Upon what representations did he take her?

Answer. Learning that Commodore Vanderbilt was chartering vessels of that character for this Banks expedition, I applied to him

and made known that I had this boat. He immediately sent a man he had in his employ—a captain of old experience—

Question. What is his name?

Answer. Lafevre, I think, sir.

Question. The present commander of the North Star?

Answer. I don't know, sir. My recollection is that his name was Lafevre. He went with me on board her. The object was to ascertain her general character and capacity for carrying troops. He examined her with me and reported to Commodore Vanderbilt. I saw the commodore again, perhaps a day or two after that. She was then undergoing repairs. He made a proposition as to price, which was $600 a day, the risks and responsibilities to be borne by myself entirely, the expense of my crew to be incurred by me, the expense of sleeping and boarding generally the officers of the regiment to be borne by myself; indeed, all the expenses to be borne by myself. I suggested to Commodore Vanderbilt that the price he was paying to other boats was larger, in proportion, than he had offered me. The matter was then left open as to price, it being agreed that the Niagara should receive a price proportioned to the number of troops she took on board, compared with other boats; a certain boat was named—the New Brunswick. The measurement was taken, and resulted in a report. I believe, that she was competent to carry 600 troops. They afterwards modified that to 500, finding, I understand, that they had calculated too largely for all these boats. She was placed in a position to receive 500 troops; 450 were taken on board, or about that number, with about 20 officers. The price has never been adjusted between Commodore Vanderbilt and myself any further than that. The matter was left open in that way. She went from here with that number of troops on board. Two days after that, and before I had had time to see Commodore Vanderbilt, she was reported to be in Philadelphia.

Question. Do I understand that the inspection made of her was by Captain Lafevre?

Answer. I beg your pardon; I should have said that Commodore Van Brunt and Mr. Haswell, whom I understood at the time to be government inspectors, inspected her after that. They went through the regular form of inspection and examination. Since her repairs she has had no certificate. It was necessary after these repairs that she should have a new certificate, and these inspectors made the examination with a view to giving that certificate if she merited it, I believe.

Question. It was necessary she should have a new certificate after inspection?

Answer. Yes, sir.

Question. Who inspected her for that purpose?

Answer. These very gentlemen I have referred to—Commodore Van Brunt and Mr. Haswell.

Question. Did they give a certificate to you?

Answer. Yes, sir.

Question. Have you got it?

Answer. It is on board the ship, sir.

Question. What is the purport of that certificate?

Answer. The requirements are, as I understand, that the boat shall be seaworthy and safe to carry passengers; that her boilers and engine shall be in good condition; that there shall be a test applied as to the quantity of steam the boiler shall be allowed to carry. The usual examination of the hull was gone through with; also the examination of the engine and boiler, a test being applied to determine the quantity of steam she should be allowed to carry. That test I should say is seldom or never put to the fullest capacity of the boiler. We are called upon to state, in running our boats, how much steam we want to carry. We state that, and then the boiler is put to the test, to determine whether it is safe to allow her to carry that amount. We were called upon to state the amount of steam we would like to carry in that boiler. We placed it at 25 pounds. The test was applied at once, and I think we got 25 or 27 pounds, and we were told we could have more if we wanted it.

Question. That certificate is signed by Mr. Haswell and Commodore Van Brunt?

Answer. I am not sure that it is. It is signed by our regular port inspectors; whether they are the parties who signed the certificate, or not, I am not sure. The certificate will show for itself.

Question. Where is that certificate?

Answer. It is on board the vessel. That vessel is at Philadelphia.

Question. Did Commodore Van Brunt and Mr. Haswell examine the timbers of the vessel?

Answer. Yes, sir.

Question. Did they find them sound?

Answer. Yes, sir.

Question. Did they examine her bottom?

Answer. Yes, sir. She was on the ways four or five days here, for the purpose of making some repairs on her bottom—or rather for the purpose of coppering the bottom.

Question. Did Commodore Van Brunt furnish any writing as to the inspection to you?

Answer. No, sir; no other than the certificate, if he signed the certificate. That is all that is required. The commodore was very particular in making the examination—very particular, indeed. He took a light and went into all the dark places and corners in the boat, and examined particularly her main timbers.

Question. Where her timbers were cased up, were they examined?

Answer. No, sir; they were not. The main timbers of this boat are cased only in what is called the gentlemen's cabin—the aft cabin of the boat, which is the only cabin in the hull of the boat; the rest of boat being entirely open and exposed—unlike our boats in this part of the country, the timbers of which are cased the entire length of the boat.

Question. Who commanded the Niagara on this expedition?

Answer. Captain John G. Dorry.

Question. How long had he been on board her?

Answer. From about the commencement of the last repairs. He took charge officially a few days before she left.

Question. What knowledge had you of his capacity as a navigator?

Answer. I had the highest recommendation from men of experience—men in whom I had confidence.

Question. Who is the mate?

Answer. His name is Young.

Question. Is he a navigator?

Answer. He represented himself to me as having had considerable experience at sea.

Question. Did he bring you any credentials?

Answer. He offered to show me some, but I did not examine them. I did not deem it necessary.

Question. Did he represent himself as skilled as a seaman?

Answer. Yes, sir.

Question. Did he represent that he was skilled in the science of navigation?

Answer. No, sir. It was not necessary.

Question. Was anybody else on board who was a navigator?

Answer. Yes, sir; my pilot, a man of many years' experience.

Question. Where had he been employed?

Answer. In the service on this coast for many years, as a coast pilot.

Question. Was his character and capacity that of a coast pilot?

Answer. Yes, sir.

Question. Who had charge of the stowage of the vessel?

Answer. The captain.

Question. Did he direct the amount of quartermaster's stores to be put on board?

Answer. Not the amount. I do not know who had charge of that.

Question. What amount was put on board?

Answer. That I cannot tell you. It was represented that they would require sixty days' stores. Whether the sixty days' stores were put on, or not, I do not know.

Question. Who furnished the charts?

Answer. I did.

Question. What charts did you furnish?

Answer. All the charts necessary to navigate between this and the Gulf of Mexico, including the Gulf of Mexico.

Question. Were you required by any one to furnish such charts?

Answer. We were not, sir.

Question. You were not aware, then, what charts were necessary?

Answer. Oh! yes, sir; any one familiar with this coast would know what charts were necessary.

Question. Did you know where the vessel was going to?

Answer. No, sir; she was taken up for any point on the coast, I think.

Question. How was she built, as compared with vessels of more recent construction?

Answer. I do not know that there is any difference. I doubt

whether the model of the vessel, if that is what you desire to get at, has been improved upon (or can be improved upon) since her construction. I am so told by experienced seamen.

Question. Are you sole owner of the Niagara?

Answer. I am, sir. She was originally built in 1845 or 1846, and was rebuilt in 1849. She dates from 1849. I owned her from last spring.

Question. You say you are a manufacturer. What do you manufacture?

Answer. Cotton. My mills are not here, but I reside here. I have long been a resident here. I am a merchant of the city of New York. I would like to add some explanations. You have undoubtedly seen the newspaper statements in relation to her unsound condition; some saying she is entirely rotten; that she was unseaworthy when she left here; that she leaked badly; that she was on fire at one time. A great many of such statements have been made, all of which, I believe, are entirely false. They have no foundation in fact—not one of them. So far as the rotten timber is concerned, the troops were in a disorderly condition when they left here, and after leaving here they saw fit to mutilate the boat; they did so a great deal. They tore the casing off of these timbers—"carlines," as we call them. They are light timbers for supporting the deck. They tore the casing off of those carlines, and found three of them decayed more or less. The only decayed timber found about this boat by any one now on her, or any of those who went on her, (for there have been none to examine her since,) has been those three carlines, which constitute part of the support of the main deck. By the side of these three carlines—either by the side of the three carlines, or between two of them—runs one of the main timbers of the vessel, which was also stripped. That timber is about ten or twelve inches square, and is of solid white oak, and is as sound to-day as ever; I examined it particularly, and it is as sound to-day, and as thoroughly bolted, and the bolting is as sound as when first put on the vessel. That timber constitutes one of the main timbers of the vessel, like which there are a number in the vessel—I do not know how many—and all of which, as far as I have been able to discover, (and I have examined pretty thoroughly, and have also sent competent men to ascertain,) are as sound to-day as when placed in the vessel. They constitute the main strength of the deck. So far as the hull itself is concerned, I have given attention to it; a great part of it (not its entire length) is cased. So far as I have been able to discover, that also is as sound as the other timbers, except where there was a little piece of sap in the timber, or a little knot. There you may find a little decay, but not to injure the vessel, and a thing not unusual in a vessel which has been built two, three, or four years. So far as the build of the vessel is concerned, it is entirely sound, so far as I know. The outside of the vessel (that is to say, the hull) has also been thoroughly examined by men competent to examine, with a view to making any repairs necessary, if any repairs were necessary. She was put upon the ways, and *remained there* several days for the purpose of painting her bottom

with a metallic substance. A close examination disclosed two small pieces of plank a little decayed. These two pieces were taken out of her, and new pieces substituted. The vessel was found to be very "foul," as it is called by seafaring men—dirty in the hold.

Question. When was this?

Answer. This was just previous to the charter. She was found dirty in her hold. She had a large accumulation of coal ashes, chips, and shavings that had been allowed to get into the bottom and obstruct the chains—the "limber chains" they are called. To clean out this accumulation in the bottom of that vessel it became necessary to take out two or three of the main planks of the bottom of the vessel. They were taken out. There were present at the time four or five old ship-builders, ship-owners, and sea captains, all of whom made a personal examination, at my request, of the bottom of the vessel, and that part exposed by the taking out of those planks; and the parties, every one, expressed great surprise at finding so much sound strong timber in a vessel built for such a length of time, and so little racking. I state these facts as they came to me.

Question. Were you present?

Answer. Yes, sir; I was present during most of the time. These places were covered up. After cleaning the vessel out these two unsound spots had new pieces substituted before she went into the water again. It was stated, also, that the vessel leaked badly, and that she put into the Delaware breakwater on account of her leaking; that the soldiers in pumping her discovered rotten timbers, &c. This boat has pumps which are worked by steam, which do all the pumping necessary. There never was a soldier or officer or member of the crew of the boat put a hand to the pump to pump her. There has been no necessity of pumping since she left here. My engineer tells me that in washing the decks, or something of the kind, they allowed some of the water to run into her bottom, and for a few moments, they set the pumps to work to pump that out. The boat is reported to me as tight as she ever was. They had no occasion for any soldier to work at the pumps. She has not leaked since she left here, as I am informed.

Question. What has been the employment of Captain Dorry before you engaged him?

Answer. As captain of steamers and sailing vessels. I think he said he had been for forty years in the business; he was fifty-eight years old, I think—a man of large experience. He has that appearance.

Question. Has he been engaged on this coast?

Answer. Yes, sir; in government employment mostly. He has been on river and inland waters and on the ocean; he has been a navigator on the ocean generally, and on the inland rivers and on the coast. On the southern coast he says he is as familiar with it as with his alphabet. He came here highly recommended by old, experienced officers.

Question. Did you, directly or indirectly, through yourself or another, pay, or agree to pay, or do you feel yourself under any obli-

gation to pay, to any person or persons any sum of money or other thing of value for the purpose of securing the employment of your vessel?

Answer. No, sir. On the contrary, I have always gone to the government direct for anything I had to do with it. I do not know but it would be proper for me to say here that, in this charter by Mr. Tucker, Mr. Tucker chartered the boat entirely upon my representation—that is, the charter that I referred to, in the first place, on the Potomac. The government was in a hurry for vessels to move that army, as I understood. I was in Washington at the time, and represented to Mr. Tucker that I had this vessel, and I gave him a description of her. He asked me what I would charter her at, and I told him I thought she was worth $400 a day, I paying expenses. He remarked they had been paying $450 to $500 a day for vessels of her class, judging from my description; but that they had been cut down twenty-five per cent. at the time all these were cut down. They were kept in employment longer than was contemplated. I stated to him that as this boat would be wanted only for a short time, and as there was a good deal of wear and tear in a boat used for carrying troops as a transport, I felt that she would be cheap at $400 a day. At any rate, I would fix that price, and if, upon examination of the boat, it was found that she was not worth it, he had simply to report to me what he thought she was worth, and that should be the price.

Question. You have known Mr. Tucker for several years?

Answer. Yes, sir.

Question. But this is the only transaction you have ever had with government?

Answer. Yes, sir; these are the only transactions I have ever had with the government direct during this war.

Question. Nor with any agent of the government?

Answer. I do not know how much may be embraced in that; I am engaged in other business that has been connected with government.

Question. What other business?

Answer. Well, I have been connected directly and indirectly with James, of Chicopee; I had the agency of Mr. James's rifled projectile, which came up casually at first.

Question. You have sold those to government?

Answer. Yes, sir.

A. J. RICHARDSON.

NEW YORK, *Wednesday, December* 31, 1862.

JOHN A. MCGAW, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and occupation.

Answer. My place of business is at 107 South street; I am a shipowner.

Question. Did you charter any vessels to any agent of the United States government to be employed in what is known as the Banks expedition?

Answer. I chartered a ship—the Belle Wood.

Question. At what time did you charter her; at what price, and for how long a period?

Answer. The date of the charter-party, I think, is the 19th of this month, December; the price was $3 75 per month per registered ton, and the term was to be not less than three months.

Question. Was it to be continued at the option of the government?

Answer. Yes, sir.

Question. Through what agent or agents was the contract made?

Answer. The information came to me from Mr. Hurlbut; the information was, that Captain Russell Sturges wanted to charter a vessel for the government use. I made the terms with Captain Sturges, and he took me to Commodore Vanderbilt's office, and there the charter was made.

Question. State what those terms were.

Answer. I agreed to pay Captain Sturges five per cent., and I voluntarily agreed to pay Mr. Hurlbut one per cent. for the information; I was not exactly bound to do that, but we do such things for the purpose of getting the earliest information from brokers, as I do my business almost entirely through brokers. Mr. Hurlbut is a ship-broker on South street.

Question. Who is Captain Sturges?

Answer. He is a steamboat man. I do not know what he calls his regular business. He is a steamboat man, and charters vessels sometimes.

Question. Did you apply to Commodore Vanderbilt to charter your vessels?

Answer. I don't think I did, sir.

Question. Did any one apply to him for you?

Answer. I cannot say that, sir, either.

Question What is the usual rate of brokerage in such cases as these?

Answer. Well, it varies, sir. I suppose the usual rate is two and a half per cent.

Question. How happened it that you agreed to pay Mr. Sturges five per cent.?

Answer. Because I could not get the charter in any other way—at least I thought so?

Question. Why did you think so, if you had not applied to Commodore Vanderbilt?

Answer. I don't know as it is easy to put that into words.

Question. Try it.

Answer. I don't know as it is easy, because there is so much understood that we do not positively know—we suppose so much. I had a young man making efforts, and I did myself, through Mr. Hussey or Mr. Wright and somebody else.

Question. Of Southard, Wright & Hussey?

Answer. Yes, sir; I had a young man who does out-door business for me, who made application through them for a charter. Whether either of these parties ever saw Commodore Vanderbilt or not I do not know.

Question. Do you know of any other vessels being chartered through the agency of Captain Sturges?

Answer. Yes, sir; I do know that the charter of the ship L. L. Sturges was so obtained.

Question. Do you know whether the charter of the George Peabody was?

Answer. I do not know of my own knowledge, but Captain Sturges was there in Commodore Vanderbilt's office when the bargain was made. He told me in Commodore Vanderbilt's office that she was chartered?

Question. Was there any understanding and agreement between you and anybody else as to who should furnish the ship-chandlery for your Belle Wood?

Answer. No, sir; there was nothing said to me in relation to any other matters than those that I have stated here—I say "nothing." There was a trivial matter; that is, I agreed to furnish the vessel either for soldiers or for horses, whichever the government chose; but, having furnished for soldiers, if they wished to put in horses they must make the alterations themselves. At $3 75 I was to put her up, and I was ready to do this. Captain Sturges sent me word that Mr. Baxter was a very good man for that work. I knew that myself, because he had fitted out a vessel for me.

Question. Who is Baxter?

Answer. He is a joiner, at 101 Market street.

Question. Had he any connexion with Sturges?

Answer. Not that I know of. I thought he would be a very good man, and I employed him.

Question. What reply did you get from Wright & Hussey when you applied to them?

Answer. I got no definite reply. I saw Mr. Wright myself.

Question. Did you learn from them the terms upon which they procured charters?

Answer. No, sir. I did not ask any questions in relation to it.

Question. Were you satisfied that you could not directly effect this charter-party with Commodore Vanderbilt when you agreed to pay six per cent. to secure it through these other parties?

Answer. Well, the best evidence on that subject would be what I did.

Question. What influenced your mind to believe that you could not get a charter of Commodore Vanderbilt? Was it the current belief of the town? Was it the treatment you received from Commodore Vanderbilt?

Answer. No, sir. I had not seen him at all. I think it must have been what the brokers said to me.

Question. What brokers?

Answer. These brokers I saw that had to do with this. I am not

about the city much. I stay in my office. I don't go on 'change. I know little of such matters except what I get from them.

Question. Was it the general understanding among ship-brokers that these charter-parties must be secured through Russell Sturges & Co., and Southard, Wright & Hussey, and through no other parties?

Answer. I can only speak so far as I know. Yes, it was my understanding; but if I were called upon to say how I came to that conclusion, I could only say I came to it from what brokers said to me.

Question. I ask for the general idea of the brokers.

Answer. That is it, so far as I know. You see I am not with the brokers much. I am not what you call an active business man.

JOHN A. McGAW.

NEW YORK, *Wednesday, December* 31, 1862.

C. H. T. J. SOUTHARD, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence, occupation, and age.

Answer. I am a commission merchant in New York, at 38 South street. I was twenty-one years old last June.

Question. Of what firm are you a member?

Answer. Southard, Wright & Hussey.

Question. What relation do you bear, if any, to Thomas J. Southard, of Richmond, Maine?

Answer. I am his son.

Question. What is the business in which you are engaged?

Answer. Commission and brokerage business.

Question. Ship-broker?

Answer. Yes, sir.

Question. What, if anything, had you to do with the procurement of charters for what is known as the Banks expedition?

Answer. All we had to do with that was, we charged the owners commission on their charters.

Question. Were you engaged by the owners as their brokers to procure charters?

Answer. Yes, sir.

Question. How many charters did you obtain?

Answer. Twenty-one, I think, sir.

Question. What was the rate or terms upon which you obtained the charters?

Answer. Five per cent.

Question. How long did the charters run for?

Answer. Three months.

Question. Did the government reserve the privilege of retaining the vessels longer, if they should see fit?

Answer. Sometimes. Some of them the government retained; some they did not. I don't know now which they retained and which they did not *retain.*

Question. Was there or not in the charter-party a provision that after the expiration of three months they should be continued in service at the option of the government?

Answer. I think there was something of the kind.

Question. Was that the case with all, or part?

Answer. Some were to be delivered in New York, some wherever they were a mind to.

Question. I ask whether it was the case with all or a part of them that the government could retain them after the expiration of three months?

Answer. With all of them; that is the way the charter-parties read.

Question. Did you fill out the charter-parties?

Answer. I filled out a good part of them.

Question. Who filled out the others?

Answer. Some were filled out in Commodore Vanderbilt's office, and some in our office, and some at the Washington Hotel. I filled out most of them myself.

Question. Was this five per cent. paid by the ship-owners, or their representatives, upon the three months in advance?

Answer. Yes, sir.

Question. Did you also enter into a written agreement with the owners or captains, or other representatives of the owners of vessels, that they should pay five per cent. upon any amount that might be received after the expiration of the three months, provided the vessels were continued in the employment of the government?

Answer. Yes, sir.

Question. How happened it that all these vessels were chartered through your house?

Answer. Well, they offered the vessels to Mr. Southard, and he took them through us.

Question. How happened it that the other ship-owners and brokers employed your house to do the business?

Answer. Well, that I don't know.

Question. There were vessels chartered that were under the control and management of Nesmith & Sons; how happened it that Nesmith & Sons did not make their contracts directly with Commodore Vanderbilt, but made them through your interposition?

Answer. That I don't know.

Question. How happened it that when one vessel was chartered by Snow & Burges, the firm of Snow & Burges, who were themselves brokers, employed your firm to do it?

Answer. Well, they knew we were doing that, and they came to us the same as the rest.

Question. What, then, was the necessity of the charter passing through the hands of two sets of brokers: first, Snow & Burges, the representatives of the owners, and then Southard, Wright & Hussey?

Answer. I don't know; I don't know the necessity of it.

Question. Was this percentage paid to Southard, Wright & Hussey?

Answer. It was paid to me; I collected all that was collected.

Question. Was it paid to you for your firm?

Answer. It was paid to me for the firm.

Question. Did you execute receipts for it?

Answer. Yes, sir; I gave receipts for it myself.

Question. In whose name did you execute the receipts?

Answer. I executed the receipts in the name of my father. I made out the bills in his name, and put the receipts in that way.

Question. If the money belonged to you, and was paid to Southard, Wright & Hussey, how happened it that the bills were made out in the name of your father?

Answer. Well, there was a private affair—one of the firm had overdrawn a good deal of money, and I wanted to get the money in my own hands, so that I might keep it. I collected it myself.

Question. Who had overdrawn?

Answer. Mr. Wright had.

Question. In all instances were the receipts executed by you in your father's name?

Answer. In all except where it was executed in my own name personally.

Question. What one was executed in your name without the use of your father's name?

Answer. Walsh, Carver & Chase.

Question. What ship was that for?

Answer. The Sparkling Sea.

Question. Was there any other?

Answer. No other.

Question. In all other instances the receipts were executed in your father's name?

Answer. Yes, sir.

Question. Were the articles of agreement between you and the masters of these vessels, or the representatives of the masters or owners, executed in your father's name?

Answer. No, sir.

Question. In whose name were they executed?

Answer. The agreement was made so it was not agreed to pay anybody; there was no name put in. It was left in blank.

Question. Have those blanks been filled yet?

Answer. No. sir.

Question. Why were they left in blank?

Answer. I don't know why it was.

Question. By whose direction were they left in blank?

Answer. Nobody's at all.

Question. Did you make them?

Answer. I made them myself.

Question. If you made them, how happens it that you do not know why they were left in blank, if it was not done at the instance of anybody else?

Answer. Well, I made the agreements out myself; and in regard to the name, I never thought of putting any name in at all.

Question. If the money was coming to your firm, what reason can you assign for not putting the name of your firm in?

Answer. I don't know as there was any reason for not putting the name in any more than for putting any name in. If the money belonged to the firm, it would go to them. I wanted the money myself. I had a good deal of money in the firm in my name, and I wanted to look out for that.

Question. How much money have you in the firm?

Answer. Some $2,500 or $2,800. Then my brother-in-law is one of the partners.

Question. Who is he?

Answer. Captain Hussey. He has got a good deal of money in, and neither of us has drawn out anything of any kind.

Question. How much has Wright overdrawn his account?

Answer. Some $1,900 or $2,000. Somewhere about there. I cannot tell exactly now.

Question. The aggregate amount received on these vessels would amount to $12,000. If he had only overdrawn his account to the amount you stated, why did you execute all the receipts in your father's name?

Answer. Well, we have to split that commission. We have to divide that commission, and split it up.

Question. How?

Answer. To different parties.

Question. What other parties?

Answer. Well, to the other brokers.

Question. What other brokers?

WITNESS. Well, I don't know as that concerns anybody.

The CHAIRMAN. Yes, sir, it does; it concerns us.

WITNESS. How does it concern you?

The CHAIRMAN. It is our business to ascertain, and we must know.

Answer. Well, I can't tell you now. I can take my whole books and make out a statement of it. I can't tell you in any other way.

Question. What other brokers are interested in this five per cent?

Answer. Well, there is Mr. Elwell.

Question. Who else?

Answer. Mr. Lord.

Question. Where does Mr. Elwell live?

Answer. Fifty-seven South street.

Question. Where does Mr. Lord live?

Answer. It is either seventy-two or seventy-four South street.

Question. How came they to be interested in this per cent?

Answer. Well, we got the ship through them, and therefore we had to divide with them.

Question. Do you mean to say that you divided your per cent. with the brokers through whom the ships were obtained?

Answer. Yes, sir; that is what I mean.

Question. In all instances?

Answer. Yes, sir, in all instances with them.

Question. With whom?

Answer. With those two they were chartered by—Elwell and Lord.

Question. Any others?

Answer. No others, I think.

Question. What vessels were chartered by Elwell?

Answer. The J. Morton and the Planter.

Question. Any others?

Answer. No others of him.

Question. What vessels were chartered from Mr. Lord?

Answer. The International and the Windermere.

Question. You say that for those three vessels—the Planter, the International, and the Windermere—the five per cent. that you received was divided between you and Elwell and Lord?

Answer. Yes, sir.

Question. In what proportion was that division made, what proportion did you receive, and what proportion did Elwell and Lord receive?

Answer. They received one and a quarter per cent.

Question. (By Mr. Morrill.) You mean for the ships you chartered of them?

Answer. Yes, sir; I don't mean any other ships than those I have mentioned.

Question. (By the chairman.) They received one and a quarter per cent. and you received three and three-quarters per cent.?

Answer. Yes, sir.

Question. Do you mean to say that for the International, and the Windermere, and the J. Morton, you received three and three-fourths per cent.?

Answer. Yes, sir.

Question. And no more?

Answer. No more.

Question. On all the balance of the twenty-one ships, making eighteen, you received five per cent.?

Answer. Yes, sir.

Question. And you received that in your father's name?

Answer. Part of it I received in father's name, as I told you before.

Question. You received it all in your individual name or in your father's name?

Answer. Yes, sir; that is, what I have collected. I have not collected all of it yet.

Question. State what ones you received in your own individual name.

Answer. The one to Walsh, Carver & Chase; I named it before. That is the only one. Part of them I have not collected.

Question. State, if you please, were any of these contracts in your own individual name, or your father's name.

Answer. No, sir.

Question. Were they all left blank?

Answer. Yes, sir, every one of them.

Question. Was there any understanding under which you receive more than five per cent.?

Answer. Yes, sir; there was.

Question. What one?

Answer. On the Planter.

Question. What else?

Answer. There was the Planter, and there are some others I have not collected yet.

Question. Who owned the Planter?

Answer. Bell & Peabody, and some others.

Question. What per cent did you receive on the Planter?

Answer. Six and a quarter.

Question. No more?

Answer. No more.

Question. What are those on which they have agreed to pay you more than five per cent.?

Answer. Carow's ship; I don't know what her name is.

Question. Was it the Constellation?

Answer. It was her or the Schmidt; I would not be certain.

Question. What other one?

Answer. There is a Boston ship, the Undaunted.

Question. What have the parties who have the control of the Constellation and the Undaunted agreed to pay you?

Answer. Six and a half per cent.

Question. No more in either instance?

Answer. No more.

Question. What was the rate upon which the Schmidt was taken?

Answer. Five per cent.

Question. Who holds these agreements with the representatives of these vessels now?

Answer. They are down in the office.

Question. Subject to whose order and control do you hold them?

Answer. My own, or either of the firm. They can see them in the safe.

Question. Were any other sailing ships chartered for the Banks expedition except those chartered through your house?

Answer. Yes, sir; I think there was.

Question. How many?

Answer. I don't know. There were some, but I don't know how many.

Question. Do you know through whom they were chartered?

Answer. No, sir; I do not. I think Mr. J. W. Elwell had something to do with them, but I don't know.

Question. Had you anything to do with these vessels except to make out the charter-parties?

Answer. Yes, sir; we have done a good deal of running for them one way and another to get them away.

C. H. T. J. SOUTHARD.

NEW YORK, *Wednesday, December* 31, 1862.

GEORGE M. CLEARMAN, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your occupation and place of residence.

Answer. I am a member of the firm of Sturges, Clearman & Co., merchants of the city of New York, 110 Wall street.

Question. What kind of merchants?

Answer. Shipping merchants.

Question. Are you the owners of ships, and do you act as the agents or representatives of other owners?

Answer. We are the owners of ships, and act as the representatives of the owners associated with us in ownership.

Question. Have you, during the last eighteen months, chartered any vessels to the United States government or its agents for transportation?

WITNESS. Do I understand you to refer to general transportation, or the transportation of troops?

The CHAIRMAN. I made the question general.

Answer. Yes, sir; we have chartered a few.

Question. Did your firm charter any for what is known as the Banks expedition?

Answer. We have chartered one ship.

Question. What is the name of that ship?

Answer. The ship L. L. Sturges.

Question. What was her tonnage?

Answer. 1,147 tons.

Question. When was the charter party dated?

Answer. The charter party, I think, was dated on the 19th of December.

Question. For how long a time does it run?

Answer. It runs for three months.

Question. Does the government retain the option of continuing her after that time?

Answer. Yes, sir.

Question. At what rate was she chartered?

Answer. She is chartered at $3 75 per registered ton, we furnishing the berths, water-casks, water, fuel, cooking ranges, &c.

Question. Do you regard that as a fair rate?

Answer. I regard that as a moderate rate. It is a fair rate for the times.

Question. Through what agent or agents did you effect this charter?

Answer. This charter was effected through Russell Sturges, as a broker.

Question. Is Russell Sturges a ship-broker?

Answer. He is doing that business.

Question. Is that his legitimate and usual business?

Answer. I hardly know what Mr. Sturges's legitimate business is.

He has had a good deal to do with charters of steamboats and other business. He is a steamboat owner.

Question. What per cent. do you pay to secure this charter-party?

Answer. We pay five per cent.

Question. To whom?

Answer. To Russell Sturges.

Question. Did you pay it in advance?

Answer. No, sir; we agreed to pay it at the time.

Question. Is this per cent. to continue as long as the vessel remains in the government service?

Answer. Yes, sir; by commercial usage it is to continue as long as she remains under that charter.

Question. What is the usual rate among merchants for ship-brokers.

Answer. That depends very much on the bargain. Two and a half per cent. I understand to be the usual rate for brokerage, for charters, unless it is expressly stipulated, at the time, that other rates are charged.

Question. Have you chartered any other vessels to the government?

Answer. No, sir. We have made no monthly charters to the government since the war began.

Question. Have you made any charters?

Answer. We have made some charters for transportation—short transportation.

Question. For what transportation have you furnished them?

Answer. We have chartered several vessels for transportation from here to the Potomac river; different points on the Potomac river.

Question. For what was called the McClellan expedition?

Answer. Yes, sir; we chartered one for the McClellan expedition.

Question. Did you charter one for what is known as the Burnside expedition?

Answer. No, sir.

Question. Any for the DuPont or Port Royal expedition?

Answer. No, sir.

Question. Any for the Butler expedition?

Answer. No, sir.

Question. Are you in the steamship business?

Answer. No, sir.

Question. You confine yourself to sailing vessels?

Answer. Yes, sir.

Question. Were the charters for the McClellan expedition, and for army supplies, &c., to the Potomac, made through the ship-brokers?

Answer. Yes, sir.

Question. What per cent. did you pay them?

Answer. For the charter of the vessel we chartered on the McClellan expedition, to remove the army from Harrison's Landing, we paid five per cent., one-fourth of which was returned to us.

Question. To whom was that paid?

Answer. That charter was made through a broker by the name of Trundy, and paid to him.

Question. Did your firm, previous to this war, ever charter vessels to the government through the quartermaster?

Answer. Yes, sir; we had been in the habit of doing considerable transportation before the war.

Question. Was there ever any complaint of unfairness or exorbitance of prices, or tardiness of movement, so long as that system was continued of chartering vessels, under the system adopted by Colonel Tompkins and the quartermaster who preceded him, by advertising for the ship-owners to come in?

Answer. No, sir; none that ever came to my knowledge.

Question. Was the government well served at that time, so far as came within your own knowledge and observation?

Answer. Well, Mr. Grimes, I ought to explain: I think that since this war has commenced there has been an entire departure, both in the quartermaster's department here, the regular quartermaster's department, and the volunteer department, from the system of advertising. There has been but very little of it done. I think the mode of acting by advertising is the only proper and fair way—giving all a chance. I have no hesitation myself in saying, (and I think I so testified before Mr. Van Wyck's committee,) that if proposals had been invited publicly for vessels for the Burnside expedition, in which the vessels were chartered by monthly charters, they might have been obtained for twenty-five per cent. less than they were. I think they could have been chartered for twenty-five per cent. less than was paid. You know how that was done. Mr. John Tucker, the Assistant Secretary of War, I think, came on here and made these charters—most of them. The rate was fixed. I think in that case there was no advertisement issued at all. I refer to sailing vessels only.

Question. Did Mr. Tucker make those contracts directly or through the agency of brokers?

Answer. It was through the agency of brokers here, I think, mostly. I never could see any necessity for it. There may be occasions where they cannot get through—where there is a great press for time, and they cannot go through the formalities of advertising and giving notice; but for all these expeditions that have been fitted out I cannot see any good reason why they could not have advertised and invited proposals. There has been a good deal of feeling here among ship-owners who do their own business in regard to that.

Question. Do you know anything about the stowage and the number of persons put aboard each of these vessels for the Banks expedition?

Answer. I do not, except in our own, only from hearsay.

Question. How many soldiers were embarked on board the L. L. Sturges, chartered by you.

Answer. The L. L. Sturges is still in port, and the number of men she is to carry is not yet clearly determined, I believe; but we understand generally that it is about 840 soldiers, besides officers.

Question. How many are these ordinary vessels, of about 1,000 to

1,200 tons, capable of carrying, with a proper regard to the comfort and health of the soldiers embarked upon them?

Answer. I should think from 400 to 600 persons, depending on the height of their between decks. Some vessels have more lofty between decks than others. Of course, much depends on the nature and length of the passage.

Question. Did you apply to Commodore Vanderbilt to charter your vessel?

Answer. I did on one occasion, and left the vessel's name with him.

Question. What reply did he make to you?

Answer. I understood him to say, at that time, that he thought they had all the vessels they wanted.

Question. At what time was it that you applied?

Answer. That must have been something like a week previous to the charter of the ship.

Question. Was that the only reply he made?

Answer. He took a memorandum of the ship on paper. I can't recollect exactly what he said.

Question. Did he direct you to Mr. Southard?

Answer. No, sir; but the impression he left on my mind was, that if he wanted any more ships we should hear from him.

Question. Does this commission come out of the owner or the party who obtains the vessel?

Answer. All commissions above two and a half per cent. that a ship-owner has to pay he always takes into his calculations of expenses on charters. If it is only two and half per cent., it goes into his previous calculations. All over that amount that is charged virtually comes out of the government, the owner charging a so much higher price. In addition to commission payable to Sturges, we expect to pay a brokerage of one and one-quarter per cent. to Mr. Elwell, who named the ship to him. It is possible that I may have confounded Mr. Tucker's visit for the McClellan expedition with the Burnside expedition. I am of the impression he was here on both occasions.

G. M. CLEARMAN.

NEW YORK, *Wednesday, December* 31, 1862.

JAMES W. ELWELL, being duly sworn, testified as follows:

Examined by the chairman.

Question. Where is your place of business, and what is your occupation?

Answer. My place of business is in New York, at 57 South street. I am a commission merchant.

Question. Have you at any time, during the last eighteen months, furnished any transportation for the army of the United States?

Answer. I have.

Question. Any in the Burnside expedition?

Answer. None, whatever.

Question. Or for the Butler expedition?

Answer. None, whatever.

Question. Any for the McClellan expedition, either for moving his army down or up?

Answer. I suppose more or less of those we chartered were for that purpose.

Question. Who did you charter them to?

Answer. To Colonel D. D. Tompkins.

Question. To any one else?

Answer. No, sir; except through his department.

Question. With whom were the contracts made?

Answer. Colonel Tompkins, I guess, signed them all. Either he or Captain Stinson did.

Question. Did you make any with Captain Hodges?

Answer. No, sir.

Question. Did you have any contract for the Port Royal expedition?

Answer. I don't know, particularly. I could not say. I could not designate the particular expeditions. We chartered vessels to go down to Port Royal.

Question. Did you have any for the Banks expedition?

Answer. Yes, sir.

Question. What vessels?

Answer. The ship J. Morton, the ship Pocahontas, the ship Planter, we negotiated for; the ship L. L. Sturges, the ship George Peabody, and the ship Jenny Lind. I believe that is all, sir.

Question. When were the charter-parties for those vessels dated?

Answer. I don't remember the dates. They varied as to the different times they were chartered.

Question. Were they between the first and middle of December?

Answer. My impression is that one of them is dated prior to the first of December.

Question. How long are they to run?

Answer. They are to run 90 days.

Question. Does government reserve the privilege of continuing them after the expiration of that period?

Answer. They do.

Question. Without any additional charge?

Answer. At the same rate.

Question. Did you fit them up?

Answer. The owners of the ship pay the expense of it.

Question. Are these vessels owned by you, or are you acting as broker?

Answer. I own an interest in one, and for the rest I act as agent and broker.

Question. With whom did you make the contract for furnishing these vessels?

Answer. With Cornelius Vanderbilt, the special agent of the Banks expedition. He signed the contract.

Question. Through what agent did you effect your charter-parties?

Answer. The charters of the Geo. Peabody and the L. L. Sturges I effected through Russell Sturges, and the others I effected through T. J. Southard.

Question. What per cent. did you pay to Russell Sturges for brokerage?

Answer. We agreed to pay five per cent. commission.

Question. Is that per cent. to be on the earnings of the vessel during the three months, or during the three months and the period they should continue to remain in the service of the government after the expiration of the three months?

Answer. It was five per cent. on what grew out of the charter.

Question. Were you part owner in either of these vessels of Mr. Sturges?

Answer. I was not.

Question. Then the owners of the vessel were compelled to pay, first, your per cent., and then the per cent. that Sturges charges you. That is the result of it.

Answer. We charge a commission for our services.

Question. I suppose you charge about two and a half per cent.

Answer. In some instances it is only one and a quarter—in some, two and a half.

Question. Then, really, the brokerage amounts to seven and a half per cent. in many instances here. State whether, if government had advertised for vessels, so that owners might have competed, this amount thus paid out to an intermediate party would not have been saved to the government. Does not this virtually come out of the government in the end, and don't you take it into consideration in fixing the amount for the vessel?

Answer. If the question were asked me whether the government could do better by open competition, I would say, it could, decidedly. Persons would bid against one another and lower the prices. You ask me as to commissions. I always, in fixing the price, make a calculation of all the expense that is to come out of the ship. The one ship we are interested in is the only one we have paid on. The agreement has been taken from each of the masters of the vessels. It is five per cent.

Question. What vessel is that?

Answer. The J. Morton.

Question. In that case you have actually paid the five per cent.?

Answer. Yes, sir; on three months' time.

Question. In all other cases you have agreed to pay five per cent.?

Answer. The owners have agreed to pay five per cent.

Question. You agreed for them?

Answer. No, sir; the owners agreed to pay, as represented by the captains.

Question. Have they all agreed to pay five per cent.?

Answer. Yes, sir; that was the understanding.

Question. Did you apply to Commodore Vanderbilt to charter any of these vessels?

Answer. Yes, sir.

Question. What reply did you get?

Answer. He said he did not want any. He had got all he wanted.

Question. Did he send you to Mr. Southard?

Answer. No, sir.

Question. How came you to know, after he told you that, that you could charter these vessels for this expedition?

Answer. I had understood that Mr. Southard had the selection of the sailing vessels for the transportation of this expedition.

Question. You then applied to Mr. Southard?

Answer. Yes, sir.

Question. What did he tell you?

Answer. Mr. Southard told me he had chartered several vessels, and probably would want more; for me to leave the names of the ships I had to offer, and if they did, he would bear them in mind—there were a good many ships offered. I did so.

Question. As I understand it, the broker makes his contract, and then the captain of the vessel, the owner being absent, executes the contract by signing his name to these promises to pay?

Answer. Yes, sir.

Question. In whose name were these promises to pay taken?

Answer. I only saw one; that was taken in the name of T. J. Southard.

Question. How were the others?

Answer. I could not say; I only saw one.

Question. Is there any understanding between you and Mr. Southare, or the house of Southard, Wright & Hussey, or any member of it, by which they are to divide this five per cent. with you in any instance?

Answer. I am to receive no part of the five per cent. I will say *we* are not; I mean our concern, James W. Elwell & Co.

Question. Did you ever have any contract or agreement with any member of the firm of Southard, Wright & Hussey, by which, under any circumstances, you should receive anything from the five per cent. that was agreed to be paid to them?

Answer. I was not to receive any of the five per cent. to my knowledge. There was no agreement that I was to receive anything. I think it would be to the interest and saving of the government if all their vessels were chartered through the regular channels, the navy and army departments, because that will secure fair, open competition. I mean by regular channel, through the quartermasters.

JAS. W. ELWELL.

NEW YORK, *Thursday, January* 1, 1863.

W. S. HAVENS, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and occupation.

Answer. My residence is in Sag Harbor, Suffolk county, Long Island. My occupation is steamboat captain.

Question. How long have you been a commander of steamers?

Answer. Four seasons.

Question. What vessels have you commanded?

Answer. I commanded first the Cateline, that was lost at Hampton Roads; and the Massachusetts; and I have had other boats for a few trips; and the Niagara.

Question. Where did those boats run?

Answer. I am now running the Massachusetts between New York and Sag Harbor.

Question. Did you ever command the Niagara; if so, when and for how long a time?

Answer. I took command of her July 8, and I left her in September, just before she was discharged by the government. She came to New York the latter part of September. I left her at Alexandria.

Question. When she made her trip to the Potomac did you go around in her and have command of her?

Answer. Yes, sir.

Question. How old is she?

Answer. I never saw her papers, and I do not know only as Mr. Richardson tells me.

Question. How was her model as compared with other ordinary steamers of the same tonnage?

Answer. She has an easy model, goes easy and comfortable. She is not a handsome craft.

Question. How is she built differently from other vessels?

Answer. Well, there are scarcely any two vessels alike. She is full aft, but I don't know as she is too full to go. She was very popular with the passengers last summer. We had her on this (Long Island Sound) route five weeks.

Question. Did you ever examine her timbers?

Answer. I never examined to see if she was sound or not; I never troubled my head about it. As far as I could see it was all sound until you come to tear off the ceiling. Under her guards outside I saw some bad wood; some carlings under the guards. They put in other carlings alongside of those, and we put in a new spring beam outside of the wheel for the outer journal to rest in.

Question. Are you a navigator?

Answer. I am an old sea-dog. I have been around the world three times.

Question. As master of a vessel?

Answer. Yes, sir. I was mate one year and master twelve years.

Question. Do you regard the Niagara as sea-worthy; if so, for what waters?

Answer. When Commodore Vanderbilt asked me that question, whether she was sea-worthy and fit for sea, for he knew I had commanded her. I told him no, neither that nor any other side-wheel boat that I ever saw, (for a voyage across the ocean.) The Commodore nodded and said that was so. I calculated that no side-wheel steamer was fit to go to sea like this at this season. She may go close to shore, but not when heavily loaded as the Niagara was.

Question. Do you think the Niagara was a safe boat for navigation this side of the Chesapeake capes?

Answer. Yes, sir; I wanted to go in her, and offered to go in her.

Question. Would she be fit for going beyond Cape Hatteras?

Answer. Yes, sir; but not when overloaded. She was not fit for it when she went out.

Question. Why?

Answer. Because she was too deeply loaded. She was loaded in the first place too deep—deeper than she ought to be without a man aboard her.

Question. Do you know who directed the loading of her?

Answer. No, sir.

Question. Were you about her when she was loading?

Answer. No, sir; I was running the Massachusetts.

Question. Did you see her at the wharf here?

Answer. No, sir; I saw her at Philadelphia.

Question. Were the men still on board her at Philadelphia when you saw her?

Answer. No, sir; but she was still too deep without them.

Question. Do you say that she was loaded, without the men, too deep to go to sea?

Answer. Yes, sir; she was.

Question. With the men added, how much difference would it make—say 450 to 500 men?

Answer. Well, call it 200 pounds each—50 tons. These sharp vessels will not do to go to sea with I told Commodore Vanderbilt that, and said when I had been in the Gulf stream within a 400-ton ship, I had to send my men below for fear they would be washed off, and that was in no great sea either.

Question. Is it your professional opinion that any of that small class of boats. vessels of that description, and propellers, were fit to go to sea in the transportation of troops beyond Cape Hatteras?

Answer. No, sir; not one of them. I told Commodore Vanderbilt that there was not one of them fit to go to sea. He said "yes" to it himself, "when so deeply laden."

Question. The large vessels were fit—they were sea-going sailing vessels?

Answer. Yes, sir; if they were of good quality.

Question. But you think none of these smaller vessels were fit?

Answer. They were not with such heavy cargoes.

Question. Is it your professonal opinion that where troops are to go beyond Cape Hatteras it is necessary to have such vessels as are necessary to make a trip across the ocean?

Answer. Yes, sir. To give you a little idea of this, I will say, I told the inspector of Philadelphia that I had no doubt in my own mind that I could take the Niagara and go to the Rio de la Plata—that I could go across the equator—for I am a navigator—and go safely; but I must load the vessel, and my load would be simply light ballast trim. That brings her up in the water, and lets her ride the sea. But I must not have the guards down.

Question. Did you see these propellers?

Answer. Not to examine them. I know many of them.

Question. Is it your opinion that a vessel going from here to the mouth of the Chesapeake would be safe in the hands of coast pilots who were not navigators?

Answer. Well, yes, sir; if they were a good kind of men. It would not do to put vessels in the hands of such a man as I had; I don't know about all of them.

Question. I ask if it is safe to trust a vessel with them?

Answer. It ought to be.

Question. Would it be safe to trust a vessel in the hands of men who were not navigators, to go beyond Cape Hatteras?

Answer. It might be the case with some, but I would not trust my property in that way to go beyond Cape Hatteras, especially at this season of the year. Others may not think so, but that is my opinion, and I claim to be an old experienced navigator. This bad wood—it is all new to me. They stripped off the ceiling and exposed it. She is a vessel that has some bad wood, like every old vessel. I told Commodore Vanderbilt they all had. What I mean by saying I would not go to sea in the Niagara is, I would not go around Cape Horn, but I would coast this shore with her. I went to Philadelphia to take the Niagara down to the Gulf, and my pilot, a man of much experience, wanted to go with me. He had been with me all the time I had command of the Niagara, and never once thought of her being unsafe when loaded and properly commanded. Vessels may run up and down our coast with safety that would be unfit to cross the ocean. In short, I do not think river or lake side-wheel steamers fit vessels to run across the ocean, but they may run up and down our coast with safety.

WICKHAM S. HAVENS.

NEW YORK, *Thursday, January* 1, 1863.

CHARLES H. HASWELL, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence, your place of business, and the character of the business in which you are engaged.

Answer. My residence and place of business are in New York; I

am an engineer by profession; I am surveyor of steamers for the board of underwriters in the city of New York, and for the underwriters in Boston and Philadelphia and Lloyd's, London.

Question. What connexion had you with the fitting out of the Banks expedition?

Answer. I acted under the authority of an order.

Question. Who employed you as inspector?

Answer. Commodore Van Brunt, under written authority from Major General Banks.

Question. Under that authority, did you examine all of the vessels employed in that expedition, including steamers and sailing vessels?

Answer. Steamers alone.

Question. Who assisted you in that examination, if any one?

Answer. My examinations were made in company with Commodore Van Brunt.

Question. Did you or Commodore Van Brunt know whither the expedition was bound?

Answer. I did not.

Question. Did you make a critical examination of these vessels?

Answer. I made an examination as special as I thought proper or necessary.

Question. Did you report the result of your examination?

Answer. I did.

Question. To whom?

Answer. To Commodore Van Brunt.

Question. Orally or in writing?

Answer. In writing.

Question. In some of these reports which I have seen you state that you regard the vessel as fit for duty under very favorable circumstances of weather.

Answer. Yes, sir.

Question. By that do you mean that they were vessels that were capable of making a short voyage, or a voyage on inland waters, but incapable of making a safe voyage at sea or to any distance?

Answer. Not exactly incapable of making such a voyage, but unsuited for general sea navigation, or rather the risks of sea navigation; but, under favorable circumstances of weather and skilful direction, they were suited to, or rather capable of, performing the service.

Question. Were these steamers all fit for the purpose for which they were used—for an expedition as far as the capes of the Delaware?

Answer. Yes, sir.

Question. Were they all fit for an expedition beyond Cape Hatteras?

Answer. Under favorable circumstances they were.

Question. Under "*very* favorable circumstances?"

Answer. Yes, sir.

Question. What do you mean by the term "very favorable circumstances;" that they should not be overloaded, and that they should not meet with severe weather?

Answer. Yes, sir; and that they should be so skillfully navigated as to take advantage of lulls between blows and of smooth weather.

Question. Did you or Commodore Van Brunt or Commodore Vanderbilt have anything to do with the selection of the navigators for these vessels?

Answer. I did not.

Question. Had many of these steamers been used exclusively on inland waters—on the rivers and in the sounds?

Answer. One of them was originally designed for that purpose and so used.

Question. Is it a fact that the persons who are employed as captains, mates, and otherwise, on the steamers in the sounds and on the rivers, are navigators, and fit for outside navigation as a general rule?

Answer. As a general rule they are not.

Question. Then were these vessels, so far as you know, if you know anything about it, that were employed for this expedition, which had been used on these inland waters, continued under the control of the officers who had had charge of them prior to the time when they were chartered by the United States government?

Answer. I am not advised upon that point. It is but just to state that some of these captains on these inland steamers are very capable of navigating on the coast and at sea.

Question. Is it a fact that there is generally more than one man on these steamers that are employed in the inland waters who is a navigator?

Answer. I should judge not.

Question. Is it or is not a rule among commercial men, ship-owners, and underwriters to require that there shall be at least two or more persons employed in a crew, as officers or otherwise, who do understand navigation?

Answer. For sea purposes; yes, sir.

Question. In an expedition at this season of the year to go beyond Cape Hatteras and around the capes of Florida would it or would it not be important and even necessary that there should be as skilful navigators on board, with as perfect charts and instruments, as would be required on a vessel making a cruise to the European continent?

Answer. Yes, sir.

Question. Do you know, and if so state, who had charge of the selection or the control of the persons in charge of these steamers?

Answer. I have no information on that point?

Question. Did you examine the steamer Niagara critically?

Answer. I examined her in July last, and prior to her being employed or chartered for this service?

Question. What was her age?

Answer. She was built in 1849.

Question. Was she built originally then, or what they call "rebuilt" at that time?

Answer. She was then originally built, as reported to me.

Question. Who reported her so to you?

Answer. A person I took to be the captain.

Question. Was it Mr. Dorry or Mr. Richardson, the owner?

Answer. This was last July, and I do not recollect the name. It was the captain, and Mr. Richardson was on board at the time. It was some one having charge of her.

Question. Where was it reported that she was built?

Answer. In Oswego.

Question. In what business had she been engaged up to that time?

Answer. I understood that she had been engaged on the lakes—in the northern waters?

Question. Do you know anything of her having been sunk in Lake Ontario?

Answer. No, sir.

Question. What was her tonnage?

Answer. 522 tons.

Question. What were the peculiarities of her model?

Answer. Those of a steamer designed for river or sound navigation?

Question. Do you think she was a safe and good vessel for purposes of that description? Do you think her model was well adapted for such purposes?

Answer. Yes, sir.

Question. Is it your opinion that she was a safe, staunch, and proper vessel for outside sea-going purposes?

Answer. Only under favorable circumstances of weather?

Question. Did you examine her bottom?

Answer. She was afloat when I surveyed her.

Question. Each time?

Answer. No, sir; the second time that I saw her she was just hauled out; she had just been docked.

Question. What was the condition of her bottom?

Answer. It looked fair.

Question. Did you examine her engine?

Answer. Yes, sir.

Question. What was its condition?

Answer. Good.

Question. Did you examine her timbers?

Answer. In July I did.

Question. What was their condition?

Answer. With one or two exceptions they were good. I sounded them all through, and I was of opinion that some of them were soft. In my report to the underwriters I rated her in consequence of that condition.

Question. What did you rate her at?

Answer. I rated her A 2.

Question. What rank is an A 2 vessel? How is she regarded among underwriters?

Answer. The risks run from A 1 to A 3.

Question. Is an A 2 vessel a fair vessel?

Answer. Yes, sir; insurable.

Question. And an A 3 vessel is worthless?

Answer. No, sir; the risks run from A 1 to A 3. A 3 is the limit.

Question. It is as near worthless as can be?

Answer. Yes, sir; to be insured. That is as far as they go.

Question. Was her model such as was fashionable and usual for inland navigation steamers twenty years ago?

Answer. Yes, sir.

Question. And you think that she might have carried troops safely with good weather through any ordinary sound or land-locked bay?

Answer. I have no doubt of it.

Question. But you regard her as unsafe for outside navigation, when heavily loaded?

Answer. I do, except under favorable circumstances of weather and good navigation.

Question. Do you know anything of the Jersey Blue?

Answer. I do, sir.

Question. What do you know of her? I have seen your report, and you need not refer to that; state generally.

Answer. She is a fair vessel.

Question. What do you mean by "fair?" Is it a technical term among you gentleman?

Answer. No, sir; I do not mean it as such.

Question. You mean that there are good, bad, and indifferent?

Answer. Yes, sir.

Question. Where does "fair" come in?

Answer. I mean that she is not rotten; that her machinery is not insufficient.

Question. Neither first rate nor very bad?

Answer. No, sir; and that she is capable of service unless she meets very severe weather and very bad navigation.

Question. Who had the control of the stowing of these vessels?

Answer. I do not know, sir.

Question. Do you not know who directed or was responsible for it?

Answer. No, sir.

Question. Do you know anything of the M. Sanford?

Answer. Yes, sir.

Question. Is she a staunch, seaworthy, good vessel?

Answer. As much so as a vessel of that description can be?

Question. Do you know who navigated her?

Answer. No, sir.

Question. Do you know the cause of her going ashore on the coast of Florida?

Answer. No, sir.

Question. (By Mr. Morrill.) Did you consider the Niagara a seaworthy vessel when you last examined her?

Answer. I considered her suitable for a run upon our coast under favorable circumstances of weather and navigation.

Question. Did you make any examination of her timbers at your last inspection of her?

Answer. No, sir. Mr. Richardson told me he had spent about $8,000 in strengthening her and replacing her timbers.

Question. Did he tell you where and what timbers he had put in?

Answer. He did at the time.

Question. Do you recollect what they were?

Answer. No, sir; not now.

Question. Where were the timbers that you say you discovered to be defective in July?

Answer. Her thick strakes about her bilge, amidships.

Question. Were the timbers that in July you discovered to be defective unsound?

Answer. They were soft; they were not positively rotten.

Question. Did you discover any other timbers soft at that time?

Answer. One of her wales was soft.

Question. Did you understand from Mr. Richardson that he had taken those out and put new timbers in?

Answer. I understood him to say that he had repaired her to all necessary extent.

Question. Embracing those defects that you have indicated?

Answer. The details I cannot now recollect.

Question. Then, if I understand you, you made no inspection of the ship or of her timbers or hull in reference to this expedition?

Answer. Not the critical examination of boring or sounding them, having examined her in July last.

Question. And he having assured you that he had repaired her and strengthened her?

Answer. Yes, sir.

Question. Did you rely upon his statement as to her repairs and so excuse yourself for not examining her?

Answer. No, sir; although his statement had some effect.

Question. What effect?

Answer. I had high confidence in his integrity and have yet.

Question. Was that the reason why you did not make the examination of an inspector?

Answer. I do not wish to be understood that I did not inspect her.

Question. I will ask you, then, very distinctly, whether you did inspect her thoroughly—whether you inspected her timbers?

Answer. I inspected her, but not her timbers, in consequence of having inspected them in July last.

Question. If Mr. Richardson had not told you that she had undergone repairs, from your inspection of July last, would you have pronounced her seaworthy?

Answer. I think, then, I should have made a more critical examination of her.

Question. What I wish to know is, whether the condition of the vessel in July, as you saw it and inspected it, was such that you would not have recommended it for this expedition but for the repairs made upon her?

Answer. No, sir.

Question. You would not?

Answer. No, sir.

Question. I suppose, then, the inference is a fair one, that it was in consequence of the repairs you supposed to have been made upon her that you recommended her?

Answer. Yes, sir.

Question. Do you recollect whether, in July, you examined her deck timbers—the timbers that support the deck?

Answer. I did not; they were, as is customary, encased with panel work.

Question. Then you did not at any time?

Answer. No, sir.

Question. Do you consider those timbers as material, or what would be called important timbers, or "main timbers," as some of the witnesses use the phrase?

Answer. As to the main timbers, it is important that they should be sound. By "main timbers" I understand to be meant the water-wheel guard beams; they are the main deck timbers; the ordinary deck timbers might be seven by nine or seven by ten inches, and these would be fifteen inches square, or more.

Question. As you found her in July you would not have considered her suitable for this expedition, but as she was represented to be re-repaired by Mr. Richardson you accepted her?

Answer. Yes, sir; that and the fact of her having had a new boiler and an independent steam-pump and sponsons having been put upon her.

Question. These are a sort of braces?

Answer. Yes; sir; and shields to her guards.

Question. It was in consequence of the addition of a new boiler and the sponsons and the repairs that Mr. Richardson represented that she had undergone?

Answer. Yes, sir; and an independent steam, fire, and bilge pump; in connexion with the circumstance that in putting sponsons to a vessel in order to secure them, it is necessary to bore her timbers, and if they were defective at all that would be apparent; and if very defective the sponsons could not be fastened.

Question. What timbers would be bored for such braces?

Answer. Frames and deck beams. The sponsons run from the frames up to the deck beams or guard beams.

Question. But those are none of the beams that you discovered and described to be soft in July?

Answer. No, sir.

Question. From your examination of her in July, would you expect to find her deck beams rotten—positively rotten?

Answer. No, sir.

Question. You would be disappointed if they were so?

Answer. Yes, sir.

CHARLES H. HASWELL.

[The witness presented the following synopsis to the committee as part of his testimony:]

Synopsis of reports upon steamers surveyed by Charles H. Haswell.

Name.	Condition and seaworthiness.	Security and provisions against fire.	Anchors, chains, hawsers, &c.	Draught of water. Light.		Draught of water. Loaded.		Class and rate with underwriters.
				Ft.	*In.*	*Ft.*	*In.*	
Illinois	Good	Good	Fully provided	15	10	18	4	3 A 1½
Saxon	do	Indifferent	do	9	6	10	9	4 A 1¾
North Star	do	do	Well provided	13	6	16	0	4 A 1½
New Brunswick	do	do	Fully provided	8	2	9	10	5 A 1¼
Mary A. Boardman	do	do	do	7	2	9	5	1 A 1½
Empire City	do	do	do	14	0	15	6	4 A 2
Northern Light	do	do	Well provided	13	7	15	8	3 A 2
Che-Kiang	do	do	Fully provided	8	0	9	5	5 A 1¼
Memonon Sanford	do	do	do	8	4	9	10	5 A 1½
Eastern Queen	do	do	Well provided	8	4	10	1	5 A 1¼
James S. Green	Fair	do	Fully provided	5	2	6	4	5 A 1¼
Salvor	Good	do	Fairly provided	9	2	11	3	4 A 2
Prometheus	do	do	Fully provided	7	2	9	2	5 A 1
Niagara	Fair	do	do	7	10	9	10	5 A 2
Honduras	Good	do	do	6	6	8	0	4 A 1¾
Albany	Fair	do	do	5	7	7	6	5 A 2
Quinebaug	Fair, under favorable circumstances of weather	do	do	5	3	7	0	5 A 1½
Shetucket	do do do do	do	do	5	3	7	0	5 A 1½
Charles Osgood	Good, under favorable circumstances of weather	do	Fairly provided	5	10	7	3	5 A 1¼
Haze	Good	do	Fully provided	6	6	8	3	2 A 1½
Jersey Blue	Fair, under very favorable circumstances of w'ther	do	do	5	6	6	8	5 A 2
Quincy	Fair	do	Fairly provided	5	8	8	0	5 A 2
Continental	Good	do	Fully provided	10	6	13	4	4 A 1½
Cumbria	do	Good	do	7	4	8	11	1 A 1½
Merrimack	do	do	Fa rly provided	13	0	15	1	1 A 1½
Mississippi	do	do	do	13	0	15	1	1 A 1½

NOTE.—In addition to these seven others were surveyed and four of them rejected.

PHILADELPHIA, *Friday, January* 2, 1863.

SAMUEL ZANE, being duly sworn, testified as follows:

Examined by the chairman.

Question. Mr. Zane, please state your residence and occupation.

Answer. My residence is at 113 North Fifth street; office 116 North Delaware avenue; my occupation is shipbuilder.

Question. Are you now inspector?

Answer. I am hull inspector for the eastern district of Pennsylvania—United States local inspector.

Question. Appointed by whom?

Answer. Appointed by the board and confirmed by Mr. Secretary Chase.

Question. Have you ever seen the transport vessel Niagara that came into this port from New York?

Answer. Yes, sir; I visited her, to the best of my knowledge, on the 17th of December.

Question. What was her condition?

Answer. I went down in the aft cabin and found that her beams and carlings, and also her deck plank were in a bad condition. I have here a piece from her beam and a piece from her carlings that I fetched here. (The witness here exhibits to the committee two fragments of wood in a decayed condition.) One of the officers gave me this smaller piece, which is from the carlings; the other large piece is from the beam; I took it off myself. This beam was in the aft cabin and was one of her main beams.

Question. How many beams are in a decayed condition?

Answer. Well, sir, the beams have all been cased, and where we pulled the casing off, we did not pull it off of many, but wherever we pulled it off we found it in a very bad condition. We went far enough at the first visit to state that the vessel was not seaworthy, and so we stopped without making much more examination; although we stopped and went forward. She is loaded with commissaries stores. We found one of her main beams in her forward hold which was pretty well gone on the clamps where the beam rests.

Question. State, if you please, if that vessel is seaworthy, or was seaworthy when she sailed from New York, a week before she reached here?

Answer. No, sir; she was not, to my judgment; she was not seaworthy, sir. She was inspected on the 4th of this last month by the board there in New York.

Question. Did they pronounce her seaworthy.

Answer. Yes, sir. They gave her a certificate to that effect. When she came here I condemned her as far as I could go. I telegraphed to Thomas B. Stillman, supervisor and inspector for the second district, and to the Secretary of War, by direction of the district attorney here; and have kept a copy of the letter served on the master not to proceed to sea with the troops, which is as follows:

OFFICE OF THE BOARD OF U. S. LOCAL INSPECTORS,
Philadelphia, December 17, 1862.

SIR: You are hereby notified to repair the said vessel so as to render her seaworthy, the same being, in our judgment, unsafe and unfit to make a voyage to sea. The said vessel needs new *deck plank, beams,* and *carlings.*

Unless the said repairs are made the navigation of the said vessel will be unsafe, and you will be held responsible under the act of August 30, 1852.

Yours, respectfully,

SAMUEL ZANE.
J. W. WAPLES.

The CAPTAIN OR OWNER OF THE STEAMBOAT NIAGARA,
Now lying in the port of Philadelphia.

Question. (By Mr. Kennedy.) Would a vessel in that condition, with these persons on board, have been safe, in your opinion, for coast navigation, for instance, as far as Fortress Monroe?

Answer. No, sir. I would not permit her to go to New York with the crew light. I would not give her a permit to go outside.

Question. Were these timbers that you inspected essential to the safety of the ship?

Answer. O, yes; it is the main deck. The officers live above this main deck, and had that deck been swept off the boat would have been left an open boat.

Question. How is the hull?

Answer. We could not get at the hull; it is filled with commissary stores. We had a great time getting down as it was. We had to take a light with us. We could not get at that. She lies there with stores.

Question. Do any of the main timbers exhibit this state of decay?

Answer. We could not see.

Question. Are the main beams below covered?

Answer. Yes, sir; they have casing; a simple lining—half-inch lining. I took the liberty of pulling some of that off, as I thought it my duty. We can either bore or tear away if we think we can discover anything unseaworthy. I ordered some to be torn off, and helped to tear off some myself, and found it in a bad condition—a very bad condition. One of these pieces here was picked right out.

Question. Does the external appearance of the ship indicate weakness?

Answer. I have not been around under her guards. From what I saw I believe it does all around under her guards. She has been sponsoned, and you cannot get a chance to see. She has been hid up pretty well.

Question. (By the chairman.) Judging from her model, was she ever adapted to outside navigation, or only to inland or land-locked navigation in sounds, rivers, and bays?

Answer. She was built for a sound boat, sir, in my judgment.

Question. Is she a vessel that is fit to go around Cape Hatteras?

Answer. She might go around there in some weathers, but, as a general thing, I would not trust any of those boats. These guard-boats are unfit to go any way.

Question. You mean by "guard-boats" those boats which have "guards" on their sides?

Answer. Yes, sir. I will say here the Niagara had 500 passengers, and she was nearly 400 life-preservers short. Her papers only give her 100 life-preservers. I believe that putting men into that ship to go to sea was like putting them into their coffins.

SAMUEL ZANE, recalled, testified further, as follows:

Examined by Mr. Morrill.

Question. Have you, since your previous testimony to-day given, made a further examination of the Niagara, and are you able to state more in detail as to the condition of her timbers?

Answer. Yes, sir; I made a further examination on this day.

Question. State particularly what you saw.

Answer. I went over the same ground pretty much that I did before. I saw some of the casing torn off, and found pretty much all her beams and carlings are in one condition. I further made an examination forward. I saw nothing new forward, although I saw that again to-day.

Question. In what condition did you find her deck timbers in the after part of the boat—the beams?

Answer. I found them in a very bad condition; worse than I found them in before.

Question. Are they sound or rotten?

Answer. Rotten, sir; unseaworthy, unfit to go to sea, unfit to be in a vessel.

Question. Did you bore into the timbers to test the condition of the wood?

Answer. Yes, sir; I bored into one of his best beams, as he (Mr. Richardson) said. I handed the borings to Mr. Morrill.

Question. State whether you found any one of the main timbers or main beams sound.

Answer. I did not; I did not find one sound. The owner was present and acknowledged that they were all gone upon the clamps, and that there were small pieces substituted for the beams and carlings.

Question. If there had been an attempt to repair these beams and strengthen them, state in what manner that had been done.

Answer. I should say that they should have run clear across the boat.

Question. But as a matter of fact, if there had been any attempt to strengthen these beams, what steps had been taken?

Answer. There have small pieces been put alongside of each and every beam and carling. They have been bolted.

Question. In what part?

Answer. On the beams and carlings on the clamps.

Question. That is where they rest on the ship?

Answer. Yes, sir; on the sides of the ship, and they extend out to the guard.

Question. Of what size are these pieces?

Answer. I should judge that they were about two and a half inches thick by seven inches wide. They were secured by bolts in through the decayed timber—the decayed beams and carlings.

Question. State how much support those pieces would afford to the main timber.

Answer. Very little, sir, in my judgment, because there is no sound wood to hold them.

Question. That defect you found to be true of all the main timbers of the deck, did you?

Answer. Yes, sir.

Question. How is it in regard to the carlings?

Answer. The carlings were in about the same condition as the beams.

Question. Did you examine the fore part of the vessel?

Answer. Yes, sir.

Question. How did you find the carlings in the fore part?

Answer. I found the carlings and beams there the same as they were aft; I found pieces substituted for the carlings.

Question. How about the main beams?

Answer. I found it the same with both beams and carlings forward as I did aft. The condition was the same.

Question. State whether you found any beams in the after cabin which had not been repaired at all.

Answer. I did. No attempt had been made to repair them.

Question. What was their condition?

Answer. They were the worst I saw. Their condition was very bad.

Question. Had there been no attempt to support those?

Answer. No, sir; no attempt to repair them at all.

Question. Were those beams cased?

Answer. Yes, sir.

Question. So that the defects were not obvious?

Answer. Yes, sir. I also found the deck plank rotten in different spots, so that they would crumble under the heel of your boot.

Question. Was Mr. Richardson, the owner of the boat, present at this examination?

Answer. Yes, sir.

Question. Were these defects pointed out to him?

Answer. Yes, sir, and he acknowledged that these pieces were put alongside the beams; and he acknowledged that the beams were rotten, and the carlings, also, wherever there was a piece put. He acknowledged that fact himself. The captain who belongs on board the Mary Benton, and who knew the Niagara well years ago, stated to me the day of the first examination I made that she laid for three

years, unable to get a license to carry passengers on the lakes, on account, I suppose, of her unseaworthy condition.

SAM'L ZANE.

PHILADELPHIA, *Friday, January* 2, 1863.

J. W. WAPAPLES, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and employment.

Answer. My residence is at No. 1120 Columbia avenue, Kensington, in Philadelphia. I am an engineer by profession. I have followed it for a number of years; but I am now a United States local inspector of boilers and engines.

Question. Have you examined the transport ship Niagara, that recently came into this port in distress, with soldiers, bound from the port of New York?

Answer. I have, sir.

Question. State what you found her condition to be.

Answer. Mr. Zane has stated it, perfectly. I can only corroborate his statement. We were together, and my opinion and his accorded exactly, in every particular, as far as the hull is concerned. I found the engine and boiler in tolerably fair condition. The boiler is old, but I do not consider it dangerous. Her certificate from the local board in New York stated her to be for an inland route. That was the inspection made on the 4th of December, in New York, by the New York local board. Her certificate stated that she was for an inland route. The local boards have to give them a route, and the certificate in her case gave her an inland route, which means in a sound or bay, or anything like that.

Question. Do I understand that your boards, when they inspect a vessel, designate the particular kind of navigation for which she is fit?

Answer. Yes, sir; we designate on their certificate the kind of route we intend them to run on.

Question. This certificate which the Niagara carries from the local board of New York specifies that she is authorized and qualified to run on an inland route?

Answer. Yes, sir.

Question. She therefore had no authority to go outside?

Answer. Not from the local board, not agreeable to her certificate. The Niagara had four hundred life-preservers short. She had one hundred life-preservers and five hundred passengers. Her papers allow her one hundred life-preservers. We do not allow them to carry a passenger above the number of life-preservers.

J. W. WAPAPLES.

PHILADELPHIA, *Saturday, January* 3, 1863.

EDMUND A. SOWDER, being duly affirmed, testified as follows:

Examined by the chairman.

Question. State your place of business, the firm of which you are a member, if of any, and your occupation.

Answer. My place of business is at Dock street, near the wharf; I call it Dock street wharf. The firm is Edmund A. Sowder & Co. Our business is a general commission business—ship-brokers and ship agents.

Question. Are you the owners of vessels of any description?

Answer. Yes, sir.

Question. Have you furnished, during the last eighteen months, or since the commencement of this insurrection, any transportation, ships, barges, or boats of any description to the army or the quartermaster's department, or any agent of the War Department?

Answer. Yes, sir; we have furnished some vessels for this last expedition, the Banks expedition.

Question. What vessels did you charter?

Answer. We chartered to them the Prometheus, a new steamer, of which we are part owners, which we purchased when we found the class of boats that they wanted; and the Cumbria, an iron steamship that we bought here; and my impresion is, that we chartered the City of Bath, although we are not part owners of her. I see by the newspapers that she has arrived at New Orleans. We do not own any part of her. Those are all, sir, I think.

Question. Do you know at what rate the Cumbria was chartered?

Answer. The Cumbria was chartered at $450 a day for two months, with the privilege of keeping her if they pleased; so Mr. Getty, my partner, told me.

Question. What was the Prometheus chartered at?

Answer. The Prometheus was chartered at the same rate.

Question. The City of Bath at how much?

Answer. I don't remember how much she was.

Question. Did you act as the agents and brokers, or as the owners for these vessels?

Answer. We acted as the agents of these owners.

Question. Through whom did you effect the charter?

Answer. My impression is, Mr. Getty, my partner, told me it was through Commodore Vanderbilt he chartered those.

Question. All of them?

Answer. Yes, sir.

Question. Did you, or did Mr. Getty, as a member of your firm, or did your firm in any way pay to any person, or promise to pay to any person, any brokerage to effect either of these charters?

Answer. No, sir; not to my knowledge, and not to my belief.

Question. Are you certain that the City of Bath was chartered for this expedition?

Answer. I am not; but I think that Mr. Getty told me that she was one. He said she was a boat he had put in, as these parties had spoken to him to offer her.

Question. Who examined your boats as to their qualifications for this business?

Answer. I do not know; but there were sundry parties. Mr. Getty told me that the officers selected the Cumbria. Some officers that had to choose the boats went down and selected her.

Question. Were they lying in New York?

Answer. They were sent there. The Cumbria was running from New York to New Orleans. We had her running here first. She was a prize, and was sold, and we purchased her. Some other parties took a part with us; and when we loaded her from here we sent her around there, and chartered her at $400 a day to a house there. She made that voyage, and we chartered her again for $10,000 for that trip. She then returned, and just came in when this matter of General Banks's expedition was up.

Question. Have you chartered any vessels other than you have enumerated for any expedition to the War Department, or any agent of the War Department?

Answer. Yes, sir; we chartered some steamers before. We chartered the steamer New York, which we own.

Question. When did you charter her?

Answer. I don't remember the time, but it has been some three or four months ago.

Question. To whom did you charter her?

Answer. My information is, we either chartered her to Captain Hodges, in New York, or at Washington, to the department there. Mr. Getty went on to Washington.

Question. Have you at any time during the last two years chartered any vessels for the use of the government through Captain Loper?

Answer. No, sir; what chartering we have done Mr. Getty has attended to himself.

Question. Directly with the agent of the government?

Answer. Directly with the quartermaster himself. We have not chartered any through Captain Loper; I do not think we have. Knowing this other matter, Mr. Getty would probably have mentioned it to me.

Question. Have you, or has your firm, in order to secure employment for your vessels in the service of the United States, paid, or agreed to pay, to any persons any money or thing of value, either directly or indirectly?

Answer. Not to my knowledge, sir; we have not.

Question. Have you, either directly or indirectly, for yourself, or for your firm, paid any sum of money or thing of value to any person in order to get the amount due upon the charter-party turned into cash, converted into money?

Answer. No, sir; nothing but what we have sold to the brokers for our vessels—those that we have had advances upon with a loss upon certificates; nothing else.

Question. By the term "brokers," do you mean ship-brokers?

Answer. No, sir; I mean money-brokers, stock-brokers; nothing else.

Question. Have you, or has any member of your firm, applied to any person who represented himself to be, or who was acting as, an agent of the government, to get a charter for any of your vessels, and been directed to any other person, who was not in the ostensible employment of the government, to get your charter?

Answer. No, sir. I do not think we have ever had anything to do with any parties of the kind. We thought we had as good a right as anybody to charter boats, as that was our business. We knew nobody who had any better right. That is our regular business. We are chartering vessels nearly every day, but of course only steamers for the government during this war.

Question. I understand you to say that all charters for your company have been made directly with the known and ostensible agent of the quartermaster's department of the army?

Answer. And the government officials. The reason I say government officials is, I think, when Mr. Getty went to Washington he either chartered to General Meigs or the assistant Secretary of War one of these boats. He offered them, and one was referred here to Captain Boyd and another to New York. Whether it was finally closed with the Secretary of War or not I cannot tell. I know we could not get the charter-parties signed until we got the approval of the Secretary of War that the terms were all right, as we had represented.

Question. Who signed the charter-parties on the part of the government?

Answer. Quartermaster General Meigs, with the exception of some that we got some time ago—some one or two. I think they were signed by Mr. John Tucker, who was then transportation agent.

Question. Are you a stockholder in any transportation company?

Answer. No, sir; none.

Question. Do you know who are the directors in the Philadelphia Steam Propeller Company?

Answer. No, sir, I do not. They run from here to New York, through the Delaware and Raritan canal.

Question. Is Captain Loper president?

Answer. Captain Loper used to have a line. I did not know that Captain Loper was president. I know he started these boats a good while ago, and they were running to Hartford. Then they went to New York, and from there to Hartford.

WASHINGTON, *Monday, January* 12, 1863.

HENRY R. WHITE, being duly sworn, testified as follows:

Examined by Mr. Morrill.

Question. Mr. White, you have been called here by Mr. Richardson, the owner of the Niagara, to testify in relation to the condition

of that vessel. State whether you have made an examination of the steamer Niagara. If so, when, where, and at whose request?

Answer. I have made an examination of the Niagara. I worked on her during all her repairs. I made this special examination at the request of Mr. Richardson on Wednesday last.

Question. State, if you please, your profession or employment.

Answer. I have worked for eight years in repairing steamboats. I am a ship-carpenter and joiner. I have had charge of the repairs of a line of steamboats at Sag Harbor and other places.

Question. Had you known the Niagara previous to your examination of her on Wednesday last?

Answer. Yes, sir.

Question. When and where?

Answer. When she came from the lakes. I have been for the last six or seven years in Mr. Richardson's employment. It was when she came from the lakes, and commenced running from Sag Harbor to New York.

Question. You have been for the last six or eight years in Richardson's employment?

Answer. Yes, sir. When she came first from New York city to Sag Harbor, on that route, I made the first repairs.

Question. Go on in your own way and state the result of your examination.

Answer. Some time about the first of November I was called from the Massachusetts, another boat of his line, to go on the repairs of the Niagara. This was about the first of November last, when she went on her repairs in New York. I went through with the repairs upon her. I was on her at the time she went on the dry-dock at Jersey City. I there examined her with a view to going in her on an expedition myself. She had a garboard streak, that is the next plank from the keel, taken out for the purpose of putting in new timber chains, clearing her, showing the bottom on the under side. In that examination I noticed that the hands—there were some sixty at work—were compelled to split the timbers from her, and in so doing showed that the timbers were perfectly sound, so much so, that the bolts, or spikes, which were seven-eighths in diameter, were broken off.

Question. You are now speaking of the timbers of her bottom?

Answer. Yes, sir; under the bottom. Then we put in new timber chains—that is, a chain running along between the timbers next the keel—to keep her clear. If these are stopped up the water cannot be pumped out. We put in new timber chains, and in doing so, I assisted, passing the whole length, so that all these timbers came under my examination. Those timbers were sound. I speak of her floor timbers, also her keel and keelson. The keel, as you know, is the centre timber running fore and aft from stem to stern; the main keelson is the timber running atop of the keel and over the floor timbers. In constructing a vessel the keel is first laid down, then the naval timbers.

Question. Describe the condition in which you found her timbers?

Answer. To make it plainer I will use this diagram, [A,] which *represents the* Niagara. I found these timbers, 10 by 10 inches

square, with a space of 14 inches apart, as represented by the lines on the plan, sound. On the top of them I found two side-keelsons, 14 inches by 12, of oak, and perfectly sound. I also found two bilge keelsons, represented by these lines, running amidships, 8 inches by 14, also sound. I would here remark that vessels of that class generally carry but three keelsons, while this has five. She also has a clamp, represented by lines in the diagram, which is six inches thick and 17 inches wide, passing on the outside of these timbers and bolted with bolts, averaging one in a foot, the whole length—screw bolts, passing from the outside, through these timbers and through the clamp. She has also four diagonal braces represented fore and aft, 10 by 7 inches, of oak, and perfectly sound. These diagonal braces run from the main timbers, under the main timbers, and where they cross each other are bolted with five bolts. I then commenced with the main deck, going aft, and making a personal examination, numbering the timbers and taking the dimensions of them.

Question. Are you now speaking of your examination last Wednesday?

Answer. Yes, sir. Commencing at the timber marked No. 1 in the diagram (B) at the stern, I proceeded to No. 91 at the bow. I carefully examined every timber.

Question. Does that include the carlings as well as the main timbers?

Answer. Yes, sir.

Question. What is the number of main timbers?

Answer. Twenty, as shown by this diagram—twenty main beams. I numbered the first carling No. 1, and so on until I came to a beam, and then numbered that in the same way; that is, carlings No. 1, No. 2, No. 3, No. 4, and then beam No. 5. The lines for beams can be distinguished from the lines for carlings. I found the carlings five by six; some of them were larger, but I averaged them four by six; none were less. The first beams are in the aft cabin. The first one, No. 5, is 9 by 6; the next one, No. 9, is 9 by 6; the next one, No. 14, is 9 by 6. I marked No. 14 decayed at both ends. I then came to carlings No. 15, No. 16, No. 17, then No. 18, beam, 9 by 6, also decayed; then carlings No. 19 and No. 20; carling No. 21 decayed; No. 23 sound; No. 23, beam, decayed at both ends; the two beams marked No. 14 and No. 18 had been pieced; No. 24, carling, decayed at both ends; No. 25, carling, decayed, though less so; No. 26, carling, sound; No. 27, beam, decayed at one end; No. 28 and No. 29, carlings, partially decayed, of oak; No. 30, beam, 11 by 13 inches. I term that the "spring beam." The spring beam is the first beam running aft of the wheel. My reference says, 11 by 13 inches, oak, kneed at both ends; knees bolted with six bolts at each end, three feet run, six inches thick, bolts ¾-inch iron. The fore-and-aft timbers commence here. These knees are strengthening knees.

Question. Is that beam No. 30 decayed or not?

Answer. Yes, sir; it is decayed between these knees.

Question. Is it not decayed at the larboard end?

Answer. No, sir; that is sound.

Question. Is that near the main hatch?

Answer. Yes, sir; it is aft of the crank room. It is the aft spring beam. Then comes carlings Nos. 31 to 39. They are all cut off by the crank room. No. 40, beam, 10 by 6, kneed at both ends, knees six inches, 3½ feet run. That is forward of the wheel.

Question. Is No. 40 sound?

Answer. Yes, sir, that is sound. No. 41, carling; No. 42, carling; No. 43, spring beam, white oak, 14 by 10, kneed at both ends, knees 6 inches, 3 feet run; No. 44, carling, 6 by 5; No. 45, carling; No. 46, carling. All the timber there is perfectly sound. No. 47, beam, sound, 10 by 11, kneed at both ends, knees 6 inches thick, 3 feet run, six bolts; one pair diagonal braces start from this knee, run to bilge keelson, bolted together with four bolts where they cross. No. 48 and No. 49, carlings, sound; that is, between the machinery and the boiler. No. 50, beam, 10 by 8, four knees, 6 bolts to each end, 24 in all; Nos. 51, 52, 53, 54, and 55, carlings; No. 56, guard beam, 7 by 7, kneed, 4 feet 3 inches run, (it is very long,) bolted with 6 bolts; Nos. 57, 58, 59, 60, and 61, carlings; No. 62, guard beam, 7 by 8, oak, kneed, 7 bolts, 4 feet run, 2 feet throat; No. 64, guard beam, 8 by 10, kneed at both ends, decayed at one end; my remark made at the time is, "though not to injure the strength of it." There is a decayed place between these knees, though it is not sufficient to injure it. There is a knee on each side on the outside, so that even if it were cut off it would not get away. Nos. 65 and 66, carlings; No. 67, beam, 12 by 7, kneed at both ends, 8 bolts, 5½ feet run; Nos. 68 and 69, carlings.

Question. Was that beam 67 decayed?

Answer. It was. There was a little hole; it seemed to be a hole under the floor. That beam runs forward of the boiler hatch under the gangway. There is a hole in there where you could get in a couple of inches. Nos. 68 and 69, carlings; No. 70, beam, 10 by 7, with diagonal braces like the former, 10 by 6 inches, of oak; Nos. 71, 72, 73, and 74, carlings; No. 75, beam, 10 by 7, oak; Nos. 76, 77, 78, and 79, carlings; No. 80, beam, 8 inches by 6; Nos. 81, 82, 83, and 84, carlings; No. 85, beam, 8 by 6; Nos. 86 and 87, carlings; No. 88, beam, 7 by 6; that is the last beam; Nos. 89, 90, and 91, carlings. No. 91 is the last one.

Question. Had these beams and carlings been repaired?

Answer. They had to a certain extent. Those that had been repaired I noted.

Question. How many beams had been repaired?

Answer. I think there were two beams pieced. Two beams were repaired.

Question. How many did you find decayed?

Answer. I found three of these beams decayed, besides those pieced. Five in all I found decayed.

Question. How many carlings did you find pieced?

Answer. A great many of these carlings were pieced from the outside.

Question. Were these pieced lately?

Answer. No, sir; before the boat came on her dock.

Question. She has not undergone repairs since she has been at Philadelphia?

Answer. No, sir.

Question. Is she lying at Philadelphia now?

Answer. I think she is lying at Wilmington.

Question. How many of these carlings had been repaired?

Answer. I call it "pieced" under the guards.

Question. How many were "pieced?"

Answer. Forty.

Question. Were they pieced at both ends?

Answer. Not all of them. There are forty on the starboard side of the boat.

Question. How many carlings had been pieced on the other side?

Answer. Thirty-three.

Question. Those you say had been pieced under the guards?

Answer. Yes, sir; and to make that piecing thorough the pieces had been run through and through. That is the common way on steamboats.

Question. You say these carlings averaged how may inches?

Answer. Four by six inches. Boats usually carry two by six.

Question. What were they pieced for?

Answer. To strengthen the guards.

Question. Was it because they were decayed?

Answer. No, sir; because many of them were not decayed.

Question. Why were they pieced?

Answer. Because the boat had been run on to something. She had been run on the dock, and in doing it she broke out forty-five feet.

Question. This boat?

Answer. Yes, sir. We run her in and broke off forty-five; we had to put in the ends of them, and had to repair them.

Question. You broke off forty-five carlings?

Answer. No, sir; we put in forty-five feet of new beam.

Question. Why did you piece these carlings?

Answer. I did not piece them, when you come to that. They were pieced before the boat came from her old route. It is frequently done even to a new boat.

Question. She had been pieced before she came to New York?

Answer. Yes, sir. We have not pieced her any, except when she was run on a dock in consequence of a mistake between the captain and engineer.

Question. These carlings had been pieced before she came to New York?

Answer. Yes, sir.

Question. Do you know when?

Answer. No, sir; I do not.

Question. Do you know why they had been pieced?

Answer. I am not prepared to say why; I do not know why. When one is broken you have to piece it and repair it.

Question. Were these broken?

Answer. Yes, sir.

Question. In all instances?

Answer. No, sir; in many instances they were. Where they were not broken many of them were rotten at that place.

Question. Some were broken and others rotten, and so pieced?

Answer. Yes, sir.

Question. How were they pieced?

Answer. They were pieced by running one piece on each side of the broken one, running through within the hull of the vessel and bolted through.

Question. Then that would not apply to these that were broken off?

Answer. Not if they were taken out. The piece was generally three by two inches of oak. In many cases the old piece is left in, even if broken.

Question. Were new pieces put on both sides in all instances?

Answer. Not in all; but you will see it by these lines.

Question. State whether two pieces were put on each carling in all instances.

Answer. No, sir; there are in eight cases on the starboard side and five on the larboard side.

Question. In twelve out of the seventy-five that had been pieced two pieces were put on?

Answer. Yes, sir; a piece on each side.

Question. That was plank?

Answer. It was oak timber, three by six. The supposition is that these had been broken when they were sound. If they had been rotten they could not have pieced with more than one. Sometimes, in piecing a vessel of that kind, if they lap on the deck plank—if they piece the deck plank—we there put in two.

Question. You say there were five of these beams decayed, and two of them had been pieced?

Answer. Yes, sir.

Question. That was done before she came to New York?

Answer. Yes, sir.

Question. There never had one been pieced afterwards?

Answer. None of the beams were pieced after she came to New York; it was not known that they were unsound.

Question. Her beams had not been examined after she came from New York?

Answer. Not in the cabin—not to take off the casing. In the forward cabin it covers these up.

Question. In some of these timbers did you not find a good deal of decay?

Answer. Yes, sir; but you could not tell, because the soldiers had torn it out and carried it off, and some of it was only discolored that was sound.

Question. How many of these main timbers did you find that were a good deal decayed? Were some of the main timbers in the aft cabin very much decayed?

Answer. I found four of them considerably decayed and one that

was less decayed. In that beam (No. 30) on the larboard side I did not consider the decay sufficient to affect the strength of it, from the manner in which these knees are put on. It would not affect it materially; it would affect it some. The beam is left large there.

Question. Were the plank on her deck decayed?

Answer. They were, sir.

Question. You spoke of repairs made upon this vessel about the 1st of November?

Answer. Yes, sir.

Question. Do you recollect at what time?

Answer. From the 1st. I went on her, perhaps, the second day.

Question. How long were you upon her?

Answer. I was on her up to the 9th of December. On the 9th of December she sailed, and I left for another boat. I made forty days from November 1st on that boat. I sometimes made more than one day, as we were anxious to get her off, and were sometimes compelled to work over hours. She went on the ways at Jersey City to have her garboards taken out and sponsons put on.

Question. What did your repairs consist of? You first took out her planks and cleared—what?

Answer. Cleared her limber chains on the decks; then we put on sponsons. They are braces running from the water-line to the guards, to protect the guards and to make her stand up; make her crank in a heavy sea; that is, to make her stiff, buoyant. Those aft were slat sponsons. They were put on in strips, to let the water pass in and out in case she shipped a sea, or anything of the kind.

Question. What other repairs were made?

Answer. We put in new coal-bunkers below, and did anything that was necessary. We laid a new floor aft—a new lower deck floor amidships.

Question. What else?

Answer. There were various repairs. Everything that wanted to be done we did.

Question. State whatever you did.

Answer. We repaired the doors and windows, and put in new deck plank where we supposed it was wanted.

Question. In which part of the vessel did you put in new deck plank?

Answer. We put in new deck plank amidships and aft.

Question. Are you sure of that?

Answer. Yes, sir.

Question. On the upper deck?

Answer. Yes, sir; on the main deck.

Question. Were those repairs done under your direction?

Answer. Yes, sir.

Question. Who directed what repairs should be made?

Answer. Mr. Dewy, of the firm of Smith & Dewy, and myself and Mr. Richardson.

Question. Had you the sole direction of affairs?

Answer. No, sir; not at first. Dewey & Smith had.

Question. Are they owners?

Answer. No, sir; shipbuilders. They commenced before I did.

Question. Your principal repairs were the clearing out of her limber chains and putting on her sponsons?

Answer. That was done under Michael Anderson.

Question. Your repairs consisted of that and repairing the floor amidships?

Answer. Yes, sir.

Question. Your other repairs were trivial?

Answer. They were general repairs around the boat.

Question. Not affecting the strength, but the convenience and comfort of the boat?

Answer. Yes, sir.

Question. How many men had you with you?

Answer. I should judge they would average four; never less than two.

Question. Did those other three men average as much time as you did?

Answer. Just about. There were probably two men at work longer.

Question. What men were those?

Answer. Carpenters and joiners.

Question. She had no repairs on her from the time she came around to New York until you commenced in November?

Answer. She came around to New York in September, and these hands came on before I did. When her engine was repaired they took out everything about her engine that could be taken out, and her boiler was repaired.

Question. But I am inquiring about the repairs on the hull. She sailed very soon after you got through your repairs?

Answer. Yes, sir.

Question. Was she painted?

Answer. She was not, to my knowledge. She was not painted while I was on board.

Question. Have you any idea what the expense of these repairs was?

Answer. I have a very good knowledge, I should judge, from the fact of my knowing what the bill was—from the fact of hearing the man say what his bill of repairs was.

Question. What man?

Answer. Of the firm of Smith & Dewey. Their bill was $700, or nearly that.

Question. What was that for?

Answer. Lumber furnished. By the way, I overhauled her wheels.

Question. What was your bill?

Answer. My bill was $80, but I boarded on board.

Question. What were the other mechanics' bills? Were they the same as yours?

Answer. Some were less; none more.

Question. Then the bill of Smith & Dewey was the principal bill?

Answer. Yes, sir; the principal bill for the woodwork.

Question. Did theirs include the timber furnished?

Answer. It did, most of it.

Question. Was Smith & Dewey's bill principally for timber furnished?

Answer. They furnished more lumber than timber, I should judge. I know one young man Mr. Dewey sent that worked with me, and we made about the same time together.

Question. Who furnished the timber for the vessel?

Answer. Each man, as a general thing, furnished his own timber. Mr. Alison furnished the timber for his work—that is, the sponsons. Dewey & Smith furnished the timber on which I worked.

Question. What timber?

Answer. All that was necessary—boards, planks, joists, &c., for the deck. There was also a large quantity of timber brought from the south that was picked up. When she was in the hands of the government before in the south, there was a great deal of timber that was picked up at sea. They used that.

Question. Then you make her bill for repairs to amount to something over $1,000?

Answer. Yes, sir; for wood-work. Mr. Alison's bill for sponsons was about $1,500, he told me. He said that it would be just about $1,500.

Question. What else was there?

Answer. That, I should think, is about all; but I cannot state with positiveness.

Question. Then your idea is that the repairs on the hull amounted to about $2,500?

Answer. Yes, sir.

Question. Do you know anything about the expense on the engine?

Answer. I heard from one of Mr. Crowbanks's hands that his bill was over $6,000. I don't know anything about it of my own knowledge.

Question. At the time of these repairs no examination was made of the deck-beams or carlines?

Answer. We could see the beams.

Question. But no examination with a view to repairs was made?

Answer. Yes, sir; as we passed along and saw what was needed, we did it. We could see every one forward; they were not cased, and we repaired them. Wherever it was necessary to put down deck, we had to have something to spike to, and if a timber to spike to was gone, we always put one in. Where these pieces were put in it was not necessary.

Question. What, in your judgment, would a new boat of the class of the Niagara cost?

Answer. I suppose, from forty to fifty thousand dollars. I only judge from what I have known of what other similar boats cost. I think this boat, when built, was worth $50,000, perhaps more. She was built on the lake. Her engine and boiler were built in New York, and New York men went on and did the joiner's work. But I do not know her history, from my own knowledge.

Question. You can add anything further that you desire, to what you have already said.

Answer. I believe something has been said about her model; that it was not a good model; not fit to go to sea. We consider her a very good model. She is of a much better model than most boats.

Question. Is her model that of an inland rather than a sea-going steamer?

Answer. Yes, sir; she is not the model of a steamship. But her model is a very good one. You know the three qualities considered necessary for a good model are a fine line on her bow, a clear run, and a wide transom; and she has all those.

Question. It has been suggested by Mr. Richardson that you explain the peculiarity of her frame.

Answer. Her planking is put on in a diagonal manner; that is, her ceiling inside of the planking is put on in a diagonal manner, to strengthen it.

Question. She was planked in reference to strength?

Answer. Yes, sir. She also carries a large *hog-frame.* I will explain it.

Mr. MORRILL. I understand what it is. She has a *hog-frame,* which is usual for such boats?

Answer. Yes, sir; remarkably strong, with iron braces, and going inside of the planking. It is bolted through from the outside. She also carries *timber-heads.* She carries all these, made in a proper manner, and fastened in a proper manner.

Question. All this you understand to be usual and common to such boats?

Answer. Yes, sir; although these are made particularly in reference to strength.

Mr. MORRILL. I think she was originally a well-built boat.

WITNESS. I think so too. Many of her timbers are much larger than common. With your permission, I will leave the two diagrams to which I have referred, (A and B,) and a memorandum explanatory of them, as part of my testimony.

Notes in connexion with plans of hull and deck of steamer Niagara.

1st. *The hull.*—Keel of oak, 11 inches, and perfectly sound; timbers, 10 by 10, mostly oak, and all sound; spaces between timbers, 14 inches; main keelson, 14 by 12, oak, sound; two side-keelsons, 14 by 12, each, oak, sound; two bed-plate sills, sound; two bilge-keelsons, oak, sound; clamp, 17 by 6, bolted every foot with screw-bolts from the outside through the timbers; four diagonal braces from clamp to keelson, of oak, 10 by 7, bolted each with four bolts at the crossings, locked in at the sides under the beam, represented by pencil lines on the plan.

2d. *The main deck.*—Single lines represent the carlines. Double lines represent the timbers. Double lines in red on the carlines represent additions made to strengthen the carlines where they had decayed under the guards. These are of oak, cedar, and pine.

The letter K indicates the localities of the knees, the sizes of which are 5 feet to 2½ feet the run, and 2½ feet to 10 inches across the throat, all bolted with heavy screw-bolts, six to nine bolts to each knee.

Between carline 21 and timber 27 was stowed thirty tons' weight of coal, ammunition, &c., and remained there from the time of leaving New York till being removed in Philadelphia a few days since, and no signs of weakness shown.

Beams and carlines all sound except those that are marked otherwise, and part of those only slightly decayed.

[For diagrams see original.]

WASHINGTON, *Monday, January* 12, 1863.

A. J. RICHARDSON appeared again, and testified further as follows:

Examined by Mr. Morrill.

Question. If you desire to make any further statement before this committee, you can do so now.

Answer. In relation to the decayed timber found in the Niagara, I discovered, upon examination, that it is all found under what is called the main gangway of the boat.

Mr. MORRILL. We have had a particular description of each piece of timber in your vessel from your witness, Mr. White.

The WITNESS. This is an important fact. This gangway being an exposed place, and the carlines being cased, the casing held the water, which is the secret of the decay of those carlines.

Question. You account for their decay in that way?

Answer. Yes, sir. I speak of that on account of your having suggested when you (Mr. Morrill) saw the vessel, that it was a fair inference that those being decayed, all the others in that room were decayed.

Question. They are all decayed?

Answer. Yes, sir; but they are pieced, and by this piecing they are made stronger than they were originally. These carlines along the guards had been repaired with the intention of being made as strong as they were originally.

Question. Did you put those repairs on?

Answer. Yes, sir.

Question. Where?

Answer. At Quebec. Most of them I put on myself. They were defective, not from decay, but from the vessel having been run against the dock. In relation to the value of this boat, the price paid is no criterion of her value in New York.

Question. Where was she when you bought her?

Answer. On Lake Ontario. She is one of six boats that belonged to the American Line, as it was called, three of which this company sold, including the Niagara, for the reason that they had not business to support them. On the lake, far away from the sea-

coast, they had comparatively little value if they could not be profitably employed there, on account of the distance and the great risk in getting them to the sea-coast. These boats had to go down the rapids of the St. Lawrence, and the risk was very great. The change of the location of the boats changed the value of the boats. One of these boats that was sold on the lakes for $17,000, was brought around here and sold to the government for $70,000, as I had it from the captain of the vessel.

Question. Do you think the government made a good bargain in that?

Answer. Yes, sir; she has been a profitable boat. She is the Northerner. She is doing a great deal of work. She is the same classed boat as the Niagara. She has been running outside here all the time. I was offered, before the Niagara reached New York, $24,000 for her; that was before I put these last repairs on her. In relation to the cause of the boat going into Philadelphia, I thought it might be important for me to state that.

Question. How did you ascertain that? You were not on board.

Answer. I have it from the captain himself. I can state what he says. Captain Dorry says, after he got the blow-pipe repaired he was about to proceed to sea, when the colonel and other officers protested against it. The captain then said he should be at Fortress Monroe the next morning. The officers then signed a protest in writing, of which the following is a copy:

"ON BOARD THE STEAMER NIAGARA,
"*December* 14, 1862.

"The undersigned officers of the 50th regiment Massachusetts volunteer militia, after due deliberation and taking full and true testimony of competent witnesses, do judge and decide this transport is unseaworthy with her present freight and passengers, and that we ought to make the nearest port; and, furthermore, do protest against going to sea.

"C. P. MESSER, *Colonel.*
"J. A. LOCKE, *Lieutenant Colonel.*
"JOHN HODGES, JR., *Major.*
"WM. COGSWELL, *Surgeon.*"

Question. You think that determined the captain to go in there?

Answer. Yes, sir. By the conditions of the charter the captain was obliged to obey the officers of the government on board his vessel. He, of course, could not proceed to sea after receiving that protest. The captain assures me that he should have gone to sea but for the receipt of this protest.

In relation to the model of this boat, from what I have heard outside——

Mr. MORRILL. There is no question about that. She seems to have been a boat of a good model of her class. I suppose she was made for inland navigation?

Answer. She was made for the lakes where they try boats as much as on our coast. She is not a sea steamer, but she is so thoroughly

built and so strong a vessel that she would be pronounced, I think, by competent men, suitable for the purpose for which she was taken up.

Question. For what?

Answer. To run on the coast.

Question. To go to the Gulf of Mexico?

Answer. Yes, sir.

Question. You did not know where she was going?

Answer. No, sir; but we knew she was going on the coast; we did not know where; but the charter stipulated that she should go wherever required to any port this side of the Gulf, or in the Gulf, or to the West Indies, I think.

Question. Your papers are for inland navigation?

Answer. Yes, sir. That was all we asked. When I purchased her, I purchased her for an inland route, and that was all I asked; but the government inspectors inspected her for another purpose.

Question. How does that appear?

Answer. By Commodore Van Brunt and Mr. Haswell.

Question. Did they know where she was going?

Answer. They knew she was going on the coast, and coastwise is considered inland. The requirements of the inspector (Mr. Zane) at Philadelphia were very slight. His requirements of the owner were that I should put some new deck plank, timbers, and carlines on the boat before she proceeded to sea. That is indefinite, and I went to him to ascertain what he meant. He said wherever they were needed they should be put in before she went to sea.

Question. That was before he made the examination concerning which he gave testimony. His notice to you says, "Said vessel needs new deck plank, beams, and carlines."

Answer. Yes, sir; but it does not indicate what he means by that, and I went to see what he did mean. By that expression he might require me to take out the whole deck and all the timbers. But he told me that he simply meant by this that wherever there was a decayed carline, deck plank, or timber, it should be put in.

I am willing to take this boat myself, on my own responsibility, and send her anywhere in the Gulf, or this side of the Gulf, for the use of the government, and if she arrives there safely, they may take her and pay me what they please; and if not, they may pay me nothing—such is my confidence in the ability of the boat to perform the work required of her at this time. My officers are quite willing to undertake it—to take all the risk of their own lives.

One word in explanation of this drawing, (diagram B, in testimony of Henry R. White.) The drawing of the main deck of the Niagara shows the repairs of carlines in the after part of the boat, extending only under the guards to the hull of the vessel; whereas it should represent them as extending inside of the hull to the distance of from two to three feet.

A. J. RICHARDSON.

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37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 76.

IN THE SENATE OF THE UNITED STATES.

JANUARY 16, 1863.—Ordered to be printed.

Mr. POMEROY submitted the following

REPORT.

The Committee on Claims, to whom was referred the opinion of the Court of Claims in the case of James Preston Beck, administrator of Preston Beck, jr., deceased, report:

The material facts in this case, as claimed in the petition to the ourt, are as follows:

Brent & Beck, merchants at Santa Fé, New Mexico, in 1849, were he owners of 134 mules and horses, valued at $75 each. The animals were in charge of their herders, about twelve miles from Santa 'é, when, on September 12, 1849, a small party of Navajo Indians ook and carried away with force and violence the said animals, for rhich no compensation has been made. In 1851 they filed their etition with the superintendent of Indian affairs, stating all the ecessary facts, and praying the relief provided by the intercourse ct of 1834. That act provides "that if any Indian or Indians belongng to any tribe in *amity with the United States* shall take, steal, or lestroy any horse, horses, or other property, belonging to any citizen f the United States, such citizen, &c., may make application to he proper superintendent, who, upon being furnished with the ecessary documents and proofs, shall, under the direction of the Presilent, make application to the nation or tribe to which such Indian or ndians shall belong for satisfaction; failing to obtain which, the "United States guarantee to the party so injured an eventual indemnification," provided the injured party shall in no way violate the provisions of the act by seeking or attempting to obtain private satisaction or revenge. This provision was repealed by the eighth section of the act of February 28, 1859, (11 Statute, 402.)

This claim, with 243 others of a similar character, was rejected by the Commissioner of Indian Affairs on two grounds:

1. "That they were not shown to have been committed by Indians in amity with the United States, and upon parties lawfully in the Indian country."

2. "That the testimony is of an *ex parte* character, the claimants testifying the one for the other, and the parties being wholly unknown."

The amount of all the claims for Indian depredations in New Mexico embraced in this report of the Commissioner is $502,986. These claims are similar in their character, and are sustained by evidence of similar dignity. This case may therefore be regarded as a precedent for all the others, and as involving the legal or equitable responsibility of the government to the amount of half a million of dollars.

To charge the government with the payment of so large a sum, or any sum, under the special provisions of a statute, it is clearly necessary that the case should be brought within the statute in all respects by clear and competent evidence.

The act requires that the proper superintendent be "furnished with the necessary documents and proofs" before application could be made to the nation or tribe for satisfaction, and before a right to indemnity from the treasury should accrue. In this case, the Commissioner of Indian Affairs decided that the alleged depredation was "not shown to have been committed by Indians in amity with the United States or upon parties lawfully within the Indian country," and did "not, therefore, come within the provisions of the intercourse act;" and further, that the testimony was all of an *ex parte* character, and incompetent to sustain the allegations. This ruling of the Commissioner must be presumed to have been sustained by the President, as he did not deem it to be his duty to direct the application to be made to the tribe for satisfaction.

Was the Commissioner of Indian Affairs or the President the proper and final authority contemplated by the act for deciding upon the competency of the "proofs" to be furnished to them, and upon which their subsequent action in the execution of the law was to be founded? If so, (and it is not perceived how any other construction can be put upon the act,) their decision that the "necessary proofs" had not been furnished concludes the legal rights of the parties to indemnity from the United States. This particular point does not appear to have been made in the trial before the Court of Claims.

The evidence submitted to the court was the same as that previously presented to the department, and which was deemed by the Secretary of the Interior and two successive Commissioners of Indian Affairs, who specially examined the subject, as too "meagre in substance and irregular in form" to enable them to judge of their merits.

In this case the only witness who testifies to the material facts, from his personal knowledge, is Isidro Montolla, and of his credibility there is no evidence or certificate of any kind. In his first affidavit, made in September, 1851, and submitted as "proof" in the application to the department, he states that "Brent & Beck, on the 12th day of September, 1849, had about one hundred and thirty-five head of animals at their grazing camp in the Territory of New Mexico, about ten miles from Santa Fé, consisting of mules, horses, mares, and jackasses, of an average value at the time of $65; but the precise number of mules, horses, mares, and jackasses, he does not remember, but there were more mules than any other kind. Said affiant further states that he was present on the 12th of September, 1849, at the grazing camp aforesaid, of the said Brent & Beck, and saw a party of Navajo Indians,

about sixteen in number, dash in amongst said mules, &c., and forcibly steal, take, and drive away towards the Navajo country aforesaid to the number of 135."

In his testimony, taken before the commissioner of the Court of Claims in August, 1857, he says: That about the 10th or 12th of September, 1849, he was coming from his ranch and perceived ten or twelve Navajo Indians watching the herd of mules and animals. The Indians attacked and wounded him so that he fell with his face upon the grond and lay as if dead, and thinking he should die. A little afterwards he got up, and, looking around, saw the Indians surrounding and collecting the mules and animals, and he thinks there were about a hundred head. He says: "I saw the mules and animals distinctly, but did not get near enough to them to give an exact account."

In this deposition he does not say that the animals were the property of the claimants. In his former deposition he stated that the transaction occurred about ten miles from Santa Fé; in the latter he states it from twelve to fifteen miles. In his former deposition he states the number of animals at 135; in the latter, at about 100. And the number of Indians is first stated at sixteen, and afterwards at ten or twelve. In his first statement he says, being upon the ground, he saw the Indians "dash in among said mules, horses, mares, and jacksses," and steal, take, and drive away towards the Navajo country to the number of 135; but says nothing of being thrown upon the ground, or of his not being near enough to see distinctly.

These discrepancies may not necessarily be fatal to the credibility of the witness, still, as he is the only witness relied on to prove the material facts, and no evidence of his credibility is furnished, and as he was wounded and left for dead before the animals were taken, and was at too great a distance to give an exact account, it is not surprising that the Secretary of the Interior and the Commissioner of Indian Affairs should have regarded it as too "meagre" to enable them to form an intelligent opinion as to the merits of the case.

Montolla further says, "it was as much as any of those in charge of said stock could do to save their lives." Why are not the statements of these persons produced? Their knowledge of the facts must certainly have been much better than Montolla's, and yet their evidence is not offered, nor is any reason assigned for its absence.

The next witness, A. Duval, says he was interested in the stock in question; does not say that he had ever seen the animals; did not see them driven off; but, being told by a Mexican that they were gone, he got a party of Mexicans and Pueblo Indians and pursued, but did not overtake them.

The only other witness does not pretend to any knowledge of the facts, except what he derived from Beck & Brent.

The law upon which the claim is founded is the intercourse act of 1834, already cited. The evident intent and purpose of that act was to provide against the disturbance of existing amicable relations between the Indian tribes and the United States, growing out of the lawless acts of individuals on either side. It held out an inducement

to the citizen who might be robbed of his property by lawless Indians to do what it was his duty as a good citizen to do independently of the law—that is, to refrain from involving the country in war by taking the law in his own hands and attempting to avenge his own wrongs. Congress has never recognized the general principle that the government would make indemnity for Indian depredations any more than for those committed by civilized enemies. The rights under this act are therefore restricted and limited by its express provisions and intentions. It is very clear that the reason of the act does not apply in this case. A state of hostilities actually existed and had existed for a long period. The governor of New Mexico, at the head of a military force, was in the field for the purpose of conquering a peace with the Navajoes at the time this transaction occurred. A battle was fought on the 30th of August, in which one of the Navajo chiefs was killed, which resulted in a treaty of peace, concluded at the Valley of Chielle, nearly 300 miles from Santa Fé, on the 10th September.

This treaty was not known, and could not have been known, at Santa Fé for several weeks subsequently to this alleged depredation; and it is clearly shown by the evidence in the case that a state of "amity" did not supervene for considerable time. This depredation, therefore, was not committed by Indians in amity with the United States. Constructive amity will not satisfy either the letter or the spirit of the law. It would be making the liability of the government to depend upon mere chance, and subject it to penalties for proper efforts to protect its citizens. The prosecution of a successful campaign into the heart of the enemy's country and compelling a treaty of peace would, on the principle assumed, involve the government in the liability for all property taken or destroyed after the date of the treaty, although the destruction might have occurred through the ordinary operations of the war, and under the reasonable presumption of all parties that the laws of war still prevailed.

It cannot be contended that an army in the field can be held responsible, in damages, for acts committed after the date of a treaty of peace, of which they have had no notice. And if a commanding general cannot be so held, neither can a government. The Navajoes, therefore, were not liable for the acts of their warriors, committed in the prosecution of the war, before the publication of the treaty of peace, nor could our government make application to the tribe for indemnity, as contemplated by the act.

When the question of amity rests upon a treaty, as is claimed in this case, it cannot be said to exist until the parties to be affected have proper notice.

The committee arrive at the following conclusions, viz:

1. That neither the ownership, the amount of property, nor the circumstances of the alleged depredation is proved by competent or reliable evidence.

2. That the Navajo tribe of Indians were not, at the time, "in amity with the United States."

3. That the claim ought not to be allowed.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 77.

IN THE SENATE OF THE UNITED STATES.

JANUARY 20, 1863.—Ordered to be printed.

Mr. HOWE made the following

REPORT.

[To accompany bill S. No. 475.]

The Committee on Claims, to whom was referred the petition of Albert Brown, report:

The petitioner claims pay for one hundred army wagons manufactured for the government under a contract made with Messrs. Morris & Miller, of the quartermaster's department, which contract was entered into on the first of July, 1861.

The wagons were to be built according to specifications contained in the contract, which are very full and minute.

The contract contains the following clauses:

The work may be inspected from time to time, as it progresses, by an officer or agent of the quartermaster's department, and none of it shall be painted until it shall have been inspected and approved by said officer or agent authorized to inspect it. When finished, painted, and accepted by an officer or agent of the quartermaster's department, and delivered as herein agreed, they shall be paid for. "The wagons, boxes, &c., are to be stored at Kingston, New Hampshire, at such place as the quartermaster or his agent may designate, and the contractor to assist in taking them apart for shipping. It is agreed that forty of the wagons, complete, shall be ready for delivery on or before the 31st day of July, 1861, and the remainder on the 31st day of August, 1861."

The evidence in the case shows that on the day of the date of the contract Major Miller appointed Mr. W. C. Patten, of Kingston, the agent of the department to inspect the wagons, instructing him, at the same time, in writing, how to inspect, and what sort of a certificate to give.

On the same day Major Miller addressed to Mr. Brown, the contractor, a note in the following terms:

"SIR: The wagons to be manufactured under your contract with the United States of this date should be shipped when ordered by the quartermaster general, on bills of lading or railroad receipts taken

in duplicate; one to be sent by you to the consignee, the other to be sent, with your certificates of inspection and bill of wagons, to the quartermaster general. The bill of lading is proof of delivery."

On the 13th of August, 1861, the quartermaster general, by letter of that date, directed the contractor to send the wagons to Perryville, Maryland, consigned to Captain C. G. Sawtelle, assistant quartermaster.

Forty of the wagons were thus shipped on the 17th of August, and the remaining sixty on the 28th of the same month.

The wagons were inspected by the agent, Mr. Patten, and approved by him in the very terms prescribed by Major Miller.

The wagons arrived at Perryville, where it seems they have been allowed to remain. The quartermaster general refused to use, to sell, or to pay for them.

On the 4th of January, 1862, the quartermaster general informed the agent of the railroad company at Perryville that the United States had "condemned and rejected the wagons," and that "the railroad company having a lien upon them for charges of freight, is at liberty, as far as the United States is concerned, to do what it finds for its interest to secure itself."

Thus, through the action of the quartermaster's department, one hundred new wagons, purchased for one hundred and forty-one dollars each, to which a team had never been harnessed, have been squandered. This is the evident fact. Considered in connexion with the fact that the same department disburses about two hundred and fifty millions annually, that is perhaps the most significant fact in the case. It suggests this problem. If the expenditure of $14,100 produces nothing to the United States, how much is likely to be produced by the expenditure of two hundred and fifty millions.

The value of these wagons is lost. Whether the loss shall fall upon the government or upon the contractor is the question to be considered.

Your committee addressed a note to the quartermaster general on the 21st of June last, asking him to communicate any evidence in his possession or any reasons he might have to urge why the claim of Mr. Brown should not be allowed. His reply, dated July 17, after Congress had adjourned, was not received until the present session had commenced. In that reply he states "that because these wagons were not made in accordance with the contract, and because they are of inferior quality and workmanship, and worthless for use as army wagons, they have not been received, and should not be paid for."

Your committee are of the opinion the quartermaster general is mistaken in saying the wagons had "not been received." The wagons had been shipped from Kingston, New Hampshire, to Perryville, Maryland, a distance of several hundred miles. They had been shipped upon the written order of the quartermaster general. They had been consigned to an officer of his department. They had reached Perryville. Bills of lading had been forwarded. The maker had been instructed by that department that such bills would consti-

ute a delivery. Your committee are of the opinion that, after all hese things had been done, it was too late for the maker to reclaim he wagons, or for the government to reject them. After having ordered the maker to send the wagons to Perryville, your committee lo not think it becoming in a just government to order him to come o Perryville, to pay the charges for transportation, and to take them back again.

Whether the wagons were, in fact, of "inferior quality and workmanship, and useless as government wagons," is a question upon which the evidence is not entirely harmonious.

In support of his allegation against the quality of the wagons, the quartermaster general has submitted to your committee copies of the reports made by Captain C. G. Sawtelle, of that department, of two different inspections made by him. The one was dated on the 31st of August, 1861, and the other on the 10th of September following. According to those reports it is evident to your committee that the wagons did differ from the specifications contained in the contract; but it is equally evident that neither of those reports exhibits a greater difference between the wagons and the specifications than do the two reports exhibit to each other.

The fact of making two reports and the discrepancies between them is explained by the quartermaster general upon the ground that Captain Sawtelle made his first inspection of the wagons by comparing them with a copy of specifications upon which other contracts for army wagons had been made, whereas the second inspection was made by comparing them with the specifications in the contract made with Mr. Brown himself.

Captain Sawtelle himself urges the same explanation. Your committee, however, feel bound to say that the explanation is not satisfactory. Indeed, it seems not less extraordinary than the fact itself.

For Captain Sawtelle himself asserts that the difference between the specifications on which his first inspection was made and those of the second was in the following particulars, viz: the one required hubs to be of elm and felloes of yellow oak, while the other required hubs to be of gum and felloes to be of white oak. Your committee do not think these slight discrepancies imposed upon Captain Sawtelle the necessity for making a second inspection and a second report; and they are confirmed in that opinion by the fact that he has not, in either of his reports upon the wagons in controversy, informed us whether the hubs and felloes were of one material or the other.

If, therefore, the testimony of Captain Sawtelle was the only evidence in the case, it would be somewhat difficult to say that the wagons were unsuited to the purpose for which they were built, because that testimony is contradictory in itself.

But his testimony is also contradicted by the certificate of Mr. W. C. Patten, who certifies that the wagons were "made of good stock, and in accordance with the specifications laid down in the contract."

This evidence seems to your committee much more satisfactory than that of Captain Sawtelle; for even if it be not consistent with truth, it is, at least, consistent with itself, which the evidence of

Captain Sawtelle is not. Besides, there is evidence in the case which shows that Mr. Patten is an experienced wagon-builder. There is no evidence to show that Captain Sawtelle ever made one.

Mr. Patten saw the wagons while they were building; he inspected them before they were painted. There is no evidence that Captain Sawtelle ever saw them until they were completed and painted and removed to Perryville.

The evidence shows that Mr. Patten was the agent of the government, specially appointed for the very purpose of inspecting and reporting upon the construction of these wagons. There is no evidence that Captain Sawtelle had any more authority to inspect and reject those wagons than any teamster would have had who might be hired to drive them.

There is evidence in the case to show that Mr. Patten is "a man of high moral character, and above the suspicion of practicing fraud in any capacity in which he may be placed." There is no such evidence in reference to Captain Sawtelle. Moreover, the evidence of Mr. Patten is corroborated by the statements of other witnesses. Robert Rowe made a part of the work and sold a part of the material. He certifies to the good quality of both. He examined the first forty wagons, and he certifies to their good qualities.

J. R. Locke superintended the building of all the wagons. He certifies that they were "thoroughly made, of good stock, well seasoned, and, in every particular, agreeably to the specifications;" that he has had the experience of twenty years in building heavy wagons, and in that time has superintended several government jobs.

Edward Riddle, of Boston, swears that he has had an experience of twenty years in the carriage business; that he examined these wagons as they passed through Boston on their way to Perryville; that he had frequently examined wagons made for the government by other parties, and that these wagons were fully equal to any army wagons that he had seen made in that State.

There is, on the contrary, no evidence in the case corroborative of the testimony of Captain Sawtelle. Besides, the agent of the "Portland Company" certifies that he sold to Mr. Brown the axles for those wagons; that the latter purchased the best quality of axles, when he might have purchased the same articles made of common iron two dollars per set less than he paid. There is no evidence in the case to show that he purchased of any one inferior material for the sake of getting it at a reduced price.

And upon summing up the whole case, the simple question presented seems to be this: Whether, when the government of the United States has purchased goods, has received them, and removed them hundreds of miles from the former proprietor, it ought to pay them?

In the opinion of your committee, it ought, and they accordingly report a bill for the payment of Mr. Brown.

All of which is respectfully submitted.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 78.

IN THE SENATE OF THE UNITED STATES.

JANUARY 23, 1863.—Ordered to be printed.

Mr. HALE, from the Committe on Naval Affairs, submitted the following

REPORT.

The Committee on Naval Affairs, to whom was referred the letter of the Secretary of the Navy in answer to a resolution of the Senate of the 8th instant, communicating information as to what congressional districts have more than two midshipmen at the Naval Academy, under what law appointed, and by whom recommended, have had the same under consideration and submit the following report:

By the law of August 3, 1848, the number of midshipmen was limited to four hundred and sixty-four, and they were required to be appointed under the provisions of the fifth section of the act entitled "An act making appropriations for the naval service for the year ending the thirtieth June, eighteen hundred and forty-six," as follows: "*And be it further enacted,* That midshipmen shall hereafter be appointed from each State and Territory with reference and in proportion as near as may be to the number of representatives and delegates to Congress; and that, until such a proportion shall have been established, all future appointments shall be made from such States and Territories as have not their relative proportion of midshipmen on the navy list, whenever there are suitable applicants from such States or Territories: *And provided, further,* That in all cases of appointments the individual selected shall be an actual resident of the State from which the appointment purports to be made, and that the District of Columbia be considered as a Territory in this behalf;" and by "An act making appropriations for the naval service for the year ending the thirtieth of June, one thousand eight hundred and fifty-one," it was provided "That no shipman in the navy shall be appointed from any congressional district having, at the time of appointment, more than two officers of that grade in the navy from such district; and whenever an appointment shall be made from any State the person so appointed shall be an actual resident of the congressional district from which the appointment purports to be made: *And provided, further,* That such congressional district of any State as may not have any midshipmen in the navy, at the time an appointment shall be made from said

State, shall be entitled to at least one appointment before any other shall be made from any district of the State having one or more officers of that grade in the navy;" and by "An act making appropriations for the naval service for the year ending the thirtieth of June, one thousand eight hundred and fifty-three," it is provided "That hereafter no appointment of midshipman, acting midshipman, or pupil at any naval school in the navy, shall be made unless recommended by the member of Congress representing the district in which the applicant resides, in the same manner that cadets at West Point are now appointed; and that the Secretary of the Navy is hereby required to report to Congress, at its second session, the number and names of appointments to the Naval School which have been made, and the district and State whence each one comes, and the number of vacancies then existing at said school, with the congressional district which may be entitled to supply them; and a statement of the order in which the remainder of the congressional districts shall be entitled to supply all future and accruing vacancies, so far as it may be determined by existing laws or by circumstances."

This was the condition of the law relating to the appointment of midshipmen until the fourteenth of July, 1862, when, by the eighth section of the act making appropriations for the naval service for the year ending June thirtieth, 1863, the President of the United States was authorized annually to appoint ten acting midshipmen for education in the Naval Academy, who shall be selected from the sons of officers or soldiers who distinguished themselves in the service of the United States, or from the sons of officers or men in the naval or marine service of the United States who have thus distinguished themselves; and by the ninth section of the same act the District of Columbia was made a district for the puposes of the appointment of midshipmen.

On the sixteenth of July, 1862, an act was passed to equalize the grades of line officers of the United States navy, in the eleventh section of which it was enacted that the number of students allowed at the Naval Academy "shall be two for every member and delegate of the House of Representatives, two for the District of Columbia, and ten at large." "The President shall select two from the District of Columbia and the ten at large; and the President shall also be allowed three yearly appointments of midshipmen who shall not be over eighteen years of age, who shall be selected from boys enlisted in the navy, and who shall have been at least one year in the service, six months of which shall have been sea service."

The same section also enacts that "from and after the fifth of March, eighteen hundred and sixty-three, the nomination of candidates for admission into the Naval Academy shall be made between the fifth of March and the first of July of each year, upon the recommendation of the member or delegate, from actual residents of his district, and they shall be examined in July: *Provided*, That when any candidate who has been so nominated shall, upon examination, be found physically or mentally disqualified for admission, the member or delegate from whose district he was so nominated shall be notified to recommend another candidate, who shall be examined in September following.

And it shall be the duty of the Secretary of the Navy, as soon after the fifth of March as possible, to notify, in writing, each member and delegate of any vacancy that may exist in his district, and if said member or delegate neglects to recommend a candidate by the first of July in that year, then it shall be the duty of the Secretary of the Navy to fill the vacancy." And lest this act, taken in connexion with that of the fourteenth of July preceding, might be so construed as to authorize the President to appoint twenty midshipmen at large, a proviso was inserted in the same section as follows: "*Provided, however*, That no greater number of midshipmen shall be appointed by the President at large, under this or any other law of Congress, than shall be allowed by the provisions of this section."

The committee, after a careful consideration of the laws relating to the appointment of midshipmen, are of the opinion that the authority of the President to appoint at large is expressly limited to the appointment of ten, as prescribed by the eleventh section of the act to establish and equalize the grades of line officers in the navy. They consider that this act, which was approved on the 16th of July, 1862, and the act of the 14th of July, 1862, are to be construed together; that the act of the 16th July confers no additional power npon the President to appoint at large; on the contrary, it definitively limits his authority to appoint to the ten mentioned in the eleventh section, and expressly provides "That *no greater number shall be appointed* by the President, at large, under this or *any other law* of Congress, than shall be allowed by the provisions of *this section.*" It seems clear to the committee that the provisions of this eleventh section plainly establish and settle the questions, both as to the number of students that may be appointed to the naval school and the power of the President in making such appointments. The section prescribes that the number of students allowed at the Academy shall be two for every member and delegate of the House of Representatives—not two for every district that may or may not be represented in the House of Representatives, but for every member and delegate. Two also for the District of Columbia, and ten at large. These, with the addition of the three yearly appointments allowed to the President from boys enlisted in the navy, comprise the entire number of students that may, under authority of law, be appointed to the Naval Academy. The manner of the appointments is as positively determined by law as the number. Every appointment, with the exception of those conferred on the President, must be upon "the *recommendation* of the *member* of Congress representing the district in which the applicant resides." The law prescribes that if any vacancy exists it is the duty of the Secretary of the Navy to notify the member or delegate in whose district the vacancy exists of the fact, and if said member then neglects to recommend a candidate before the 1st of July, in that year, then it shall be the duty of the Secretary of the Navy to fill the vacancy. The law thus distinctly prescribed the manner in which any vacancy may be filled, and the conditions under which, and the only conditions, in the opinion of the committee, by which the Secretary of the Navy has power to fill any vacancies. It gives him authority, after due

notification to the member in whose district the vacancy occurs, to fill the vacancy in default of the recommendation of said member; but in the opinion of the committee the Secretary of the Navy has no power to make appointments to vacancies occurring in districts which are not represented in Congress, or where, through want of such representation, the preliminary notifications required by law of the Secretary of the Navy in case of vacancies cannot be made. All appointments, therefore, which have been made to fill vacancies of this character are clearly without authority.

The Secretary of the Navy, in his annual report, estimates that there are doubts of the constitutionality, as well as the policy, of the method of appointing midshipmen now prescribed by law. In respect to this it may be observed that the present system of appointments has been in operation under this government for a long series of years, not only as regards the Naval School, but in the appointments to the Military Academy. It is a system that has worked well in its practical operations, and moreover has commended itself to the people, and has been repeatedly indorsed by their representatives; and it has become, so far, the settled policy of the country that the wisdom of any efforts to disturb it may well be doubted. As to its constitutionality, that question has been repeatedly passed upon by the eminent men who have approved of the laws establishing and perfecting the system, and on two occasions, at least, during the last session of Congress, by the present Executive, in affixing his signature to the acts of the fourteenth and sixteenth July. It cannot be supposed that the President signed those acts without due deliberation, or that at that time he entertained doubts as to their constitutionality. If there were such doubts existing in his mind he had the opportunity, and it was his duty, *then* to state his objections, and *not after* he had given it his signature, and both himself and the Secretary of the Navy had made appointments under the law and according to its provisions. If there really did exist an uncertainty as to the right of Congress to enact these laws, the Executive, by waiving his objections at the only time in which, on his part, they could properly be presented, and afterwards giving a practical sanction to the laws by appointments made in accordance with the same, has, in the opinion of the committee, precluded himself from interposing, at this time, any constitutional scruples.

In conclusion, the committee give it as their opinion that the power of the President to make appointments of midshipmen at large is limited to the appointment of ten, exclusive of those from the District of Columbia and the naval service, as prescribed in the act of the fourteenth July, 1862; that the Secretary of the Navy has no authority to appoint for vacancies in unrepresented congressional districts, and that all appointments that have been made under color of such power are unauthorized by law.

They therefore recommend the adoption of the following resolution:

Resolved, That in the opinion of the Senate the number of midshipmen that may be legally appointed at the Naval Academy is two for every member and delegate of the House of Representatives, two for the District of Columbia, and ten at large, and three boys enlisted in the navy, and that the ten allowed by the eighth section of the act passed July 14, 1862, entitled "An act making appropriations for the naval service for the year ending June 30, 1863, and for other purposes," is merely descriptive of the qualifications and condition of those whom the President may appoint at large, and that any other appointments, under whatever color of law or necessity they have been made, are not authorized by law.

CONGRESS, } SENATE. { REP. COM.
Session. } { No. 79.

IN THE SENATE OF THE UNITED STATES.

JANUARY 23, 1863.—Ordered to be printed.

Mr. ARNOLD made the following

REPORT.

[To accompany bill S. No. 479.]

Committee on Claims, to whom was referred the petition of Robert yo, legal representative of George Mayo, deceased, submit the fol- ing report:

ppears from the evidence in this case that George Mayo was yed as a clerk in the Post Office Department from about the eptember, 1831, to the following March, and that he received mpensation therefor. In June, 1832, he received a regular ntment as a clerk in the department, at a salary of $800 per n, which he held until his death, about a year subsequently. 1836 application appears to have been made for payment for ervices, and declined by Postmaster General Kendall, on the d that it did "not appear that Mr. George Mayo was employed e Postmaster General;" "that there was no fund out of which laim could be paid," if it were otherwise. In 1843 the appli- n for payment was renewed by the presentation of the following nt, viz:

: General Post Office Department of the United States in account with the legal representatives of George Mayo, deceased, Dr.

six months' clerical services of George Mayo, deceased, in the Gen- al Post Office Department, from the 1st of September, 1831, to the t of March, 1832, the deceased having been employed part of the ne in the First Assistant Postmaster General's division, and the reater part of the time in the Second Assistant's division, during hich he was repeatedly promised a permanent appointment by the ostmaster General, which he afterwards received, as a clerk at the alary of $800 a year; but for his services thus previously rendered, , the entire satisfaction of the department, he never received any com- ensation, which, at the rate of his permanent salary, would be $400, or the said six months' services ..... $400"

On the presentation of this account, which was duly verified by oath, Colonel Gardner, the First Assistant Postmaster General alluded to, appended the following certificate, viz:

"I certify that having looked at the within account, at the request of Dr. Mayo, I have nothing to say, from my recollections on the subject, that would impugn the statements it contains."

And Major Hobbie, the Second Assistant, says: "I know that George Mayo rendered clerical services in the Post Office Department for a period of time anterior to his appointment as a clerk, and that such service was well performed, so far as it fell under my observation. Part of said service was rendered in the branch of the department that was under my charge, and part in Colonel Gardner's division."

The performance of the service is also certified by two of the principal clerks in the department at the time.

It seems to be satisfactorily shown that the service claimed for was performed, and this has never been denied or questioned as a ground for the rejection of the claim. The ground of rejection by Mr. Kendall, in 1836, was, that the service had not been previously authorized by the Postmaster General, and that there was no appropriation to which it was chargeable. The inference would seem to be fair that the performance of the service was admitted, and that it was done under the supervision and direction of the two Assistant Postmasters General is shown by their own statements. Does not this clearly and necessarily imply the authority of the Postmaster General?

The committee therefore concur in the following views, contained in a report of the Committee on Claims of the Senate, submitted by Mr. Dickinson, of New York, at the first session of the 29th Congress, [No. 409.]

"From a thorough examination of the merits of this claim, your committee are of opinion that, although the services for which the compensation is asked were not originally undertaken under the sanction of a regular appointment, a certain portion of them were executed with the sanction and under the express direction of one of the Assistant Postmasters General with fidelity and correctness. However this committee may, as they certainly do, disapprove of the unauthorized employment of clerks in the executive departments to discharge duties to which those in the regular service of the government are or may be supposed to be competent, as well in regard to number as to capacity, they do not feel at liberty to withhold payment for work done, as in the present instance, with the privity and approval of those whose province it is to select the individuals to whom it shall be assigned. The government, having received the benefit, is, in their opinion, bound by the act of its officer, and should, therefore, in justice, allow a fair remuneration for the labor performed. George Mayo was, as it appears, subsequently appointed a regular clerk, at a salary of eight hundred dollars per annum; and the time during which he acted without remuneration having been six months, his representatives have, in the opinion of this committee, a rightful claim to a ratable compensation, say four hundred dollars."

The petitioner thinks that he is entitled to interest from the date of the report of Governor Dickinson ascertaining the amount due and recommending payment.

While the committee do not concur in the action of the government in refusing interest in all or in most cases, they do not recommend this additional appropriation, but confine themselves to the payment of the principal debt of $400, for which they report a bill, and recommend its passage.

CONGRESS. } SENATE. { REP. COM.
Session. } { No. 80.

IN THE SENATE OF THE UNITED STATES.

JANUARY 28, 1863.—Ordered to be printed.

HOWARD, from the Committee on the Judiciary, submitted the following

REPORT.

Committee on the Judiciary, to whom was referred the resolution of Senate of the 16th ultimo, in the following words, to wit: "Resolved, at the Committee on the Judiciary be instructed to inquire whether practice, which to some extent prevails in some of the departments the government, of appointing officers to fill vacancies which have not urred during the recess of Congress, but which existed at the preced- session of Congress, is in accordance with the Constitution; and if , what remedy shall be applied." beg leave to report:

e state of facts suggested by the resolution is, that in some of the rtments vacancies have existed in offices during the session of the te, and have been filled by appointments made by the President ıg a subsequent recess of the body; and the committee are in- ted to inquire whether the appointments thus made in the recess uthorized by the Constitution of the United States.

ıis instruction plainly requires the committee to give their opin- o the Senate touching the true intent and meaning of the third ıe of the second section, article 2, of the instrument. That ıe is in the following words: "The President shall have power l up all vacancies that may happen during the recess of the Sen- by granting commissions which shall expire at the end of their session."

he preceding clause sets forth in very clear terms, needing, we k, no interpretation, the mode in which an office shall be filled, n other words, receive the incumbent who is to perform its func- s and enjoy its privileges and emoluments. It declares that "he President) shall have power, by and with the consent of the Senate, ake treaties, provided two-thirds of the Senent concur; and he shall inate and, by and with the advice and consent of the Senate, shall ›int ambassadors, other public ministers and consuls, judges of Supreme Court, and all other officers of the United States whose intments are not herein otherwise provided for, and which shall ıtablished by law; but the Congress may by law vest the appoint-

ment of such inferior officers as they may think proper in the President alone, in the courts of law, or in the heads of departments."

The resolution before us does not relate to those inferior offices which may be filled without the consent of the Senate, but evidently to such only as require their advice and consent. It is obvious, from the language we have quoted, that the responsibility of the Senate, in respect to the fitness of a person to be designated by the President for an office, differs in no respect or degree from his own responsibility; for it is clear from the language, that to authorize such person to enter upon and take possession of the office, there must be a concurrence of the Senate in the designation. This concurrence, in contemplation of the Constitution, is just as indispensable as a nomination by the President, and both are plainly made conditions precedent to the exercise of the right of the President to appoint. The Senate, should they see fit, might, doubtless, give in advance their advice and consent to a particular nomination, and the President might afterwards make the nomination, and then the appointment; though it would seem from the language that the President is first to nominate, and the Senate then to act; and such we believe to have been the general practice. But it is entirely clear that neither the President's nomination nor the Senate's advice and consent thereto can of themselves confer upon the person any right to the office—a right which accrues only when the President has made the appointment. And it is quite plain that this preliminary action of the Senate upon a particular nomination was regarded by the framers of the instrument as an important safeguard and essential protection against the induction into office of an unfit person. It was presumed by the framers that the Senate, made up of members from each of the States, would possess local and personal information touching the qualifications of persons for office, enabling them to correct any error the President might commit in his selections; and they are therefore charged with the duty of examining and passing upon the fitness and propriety of his selections. They were set as a check upon him, and in this respect possess a power of precisely the same nature and the same necessity as that of one house of Congress upon the other in the enactment of laws; and we cannot hesitate to regard this power and duty of the Senate as one of the high conservative principles of the Constitution for the protection and security of the public interests, and the purity, intelligence, and integrity of persons charged with the administration of the government in its various branches. And we do not suppose there has ever been or ever can be any serious denial that such was the object of the clause It would, indeed, be difficult to conceive of a different object. And so important in the judgment of the convention was the attainment of this high object, that, so far as language was capable, they prohibited an appointment to be made until it should first have been advised and assented to by the Senate—with the single exception of cases of vacancy happening during the recess of the Senate.

The term vacancy is well understood: it is the want of an incumbent authorized to perform the functions of the office. It may happen

by death, resignation, or any other manner the statute may point out; and practically, under the Constitution, it has been held to occur by virtue of the act of removal by the President of one incumbent and the appointment of another to his place.

The Constitution provides that where a vacancy shall happen during the recess of the Senate, the President may fill it up, by granting a commission, which shall expire at the end of their next session.

This clause conveys all the power the President possesses to appoint to and fill an office without the advice and consent of the Senate, except in cases of inferior officers, where Congress may, if they see fit, give him the power. It contemplates the mere temporary investiture of a person with the office for present and temporary convenience, but which investiture absolutely ceases on the happening of a future event, namely, the end of the next session of the Senate. When this event has happened, the commission, *ipso facto*, ceases to operate, or to impart any authority whatever to its possessor. Thus we find the exact termination of the temporary appointment which the President may make under the clause in question.

The next question to be solved is, When must the vacancy, which may thus be filled and the appointment to which is thus found to terminate, accrue or spring into existence? May it begin during the session of the Senate, or must it have its beginning during the recess? We think the language too clear to admit of reasonable doubt, and that, upon principles of just construction, this period must have its inceptive point after one session has closed and before another session has begun. It cannot, we think, be disputed that the period of time designated in the clause as "the recess of the Senate," includes the space beginning with the indivisible point of time which next follows that at which it adjourned, and ending with that which next precedes the moment of the commencement of their next session. This is the plain, popular meaning of the expression; and we dare not, in a question of so much moment, depart from that ancient and sound rule for the interpretation of statutes and constitutions, which requires that words which are not technical shall receive their ordinary popular meaning. And we might observe in this connexion that the use of the word "during," before "recess," implying a definite beginning and a definite end, seems to leave no room to doubt as to what was the period of time meant.

The committee are quite aware, however, that, in order to bring a vacancy which has not sprung into existence during the precise period we have mentioned, within this temporary power of the President, the word "happen" has been so construed as to embrace in its meaning cases where the vacancy or the non-occupancy has commenced to exist not within the period of recess but within the period of session. Attorney General Wirt, in an opinion given to President J. Q. Adams in 1823, gives the following explication of the phrase: "All vacancies that may happen during the recess of the Senate." "The most natural sense of this term," he observes, "is to chance, to fall out, to take place by accident. But the expression is not perfectly clear. It may mean happen to take place; that is, to orig-

inate; under which sense the President would not have the power to fill the vacancy. It may mean, also, without violence to the sense, 'happen to exist,' under which sense the President would have the right to fill it by his temporary commission. Which of these two senses is to be preferred? The first seems to me most accordant with the letter of the Constitution; the second, most accordant with its reason and spirit. The meaning of the Constitution seems to me to result in this: that the President alone cannot make a *permanent appointment* to those offices; that to render the appointment *permanent*, it must receive the consent of the Senate; but that whenever a vacancy shall exist which the public interests require to be immediately filled, and in filling which the advice and consent of the Senate cannot be immediately asked because of their recess, the President shall have the power of filling it by an appointment to continue only until the Senate shall have passed upon it; or, in the language of the Constitution, till the end of the next session. The substantial purpose of the Constitution was to keep these offices filled; and powers adequate to this purpose were intended to be conveyed. But if the President shall not have the power to fill a vacancy thus circumstanced, the powers are inadequate to the purpose, and the substance of the Constitution will be sacrificed to a dubious construction of its letter." * * * "Now, if we interpret the word 'happen' as being merely equivalent to 'happen to exist,' (as I think we may legitimately do,) then all vacancies which, from any casualty, happen to exist when the Senate cannot be consulted as to filling them, may be temporarily filled by the President, and the whole purpose of the Constitution is completely accomplished."

However great may be our admiration for the distinguished source of this reasoning, we are unable to see its correctness, or to concur in its conclusion. If it be true that the substantial purpose of the Constitution was to keep these offices filled, it is equally true that its substantial purpose required that they should be filled by competent and fit persons, and that to insure this result the opinion of the Senate must be appealed to and taken in all cases except vacancies which occur during the recess, when, of course, they cannot act or be consulted. The language of Mr. Wirt leaves it to be inferred that the filling of the office was the only great and paramount purpose. In this we think his argument casts out of view the qualifications of the incumbent, or at least treats them as mere incidents without special importance, and entitled to no weight in interpreting the provision. We, on the contrary, hold these qualifications to be of the highest and gravest importance, weighing heavily against the artificial interpretation he gives to the language. Why were the advice and consent of the Senate required at all, but for the purpose of ascertaining and passing judgment upon these qualifications? And why, especially, was the giving of this advice and consent made a condition precedent—a *sine qua non*—to the appointment? If the long list of government defaulters, whose corrupt principles and practices have for the last thirty years so deformed our politics and our history as to make the successful plundering of the public money almost a laud-

able achievement in the minds of vulgar partisans; if these petty offenders, and their reeking memories, are not sufficient to demonstrate that one great object of the intervention of the Senate was to secure fitness and honesty in the incumbents of office, we have but to turn our eyes to the stupendous acts of fraud, felony, and treason committed even by the members of the President's cabinet during the hatching of the conspiracy which has now taken on the form of open and bloody rebellion. Had the Senate, as a body, done their whole duty required by the Constitution, the bad men who were confirmed as members of Mr. Buchanan's administration could not have plotted treason in his cabinet and before his eyes.

Nor can we concur in the idea that the "meaning of the Constitution seems to result in this: that the President alone cannot make a permanent appointment to these offices, and that to render the appointment *permanent*, it must receive the consent of the Senate." What is intended by this rather loose phraseology is, doubtless, that there is a difference between the full official term established by law and the temporary term produced by the occurrence of a vacancy; but it is obvious enough that this is merely a difference of time, not in functions or duties, which are the same in both cases; and the mere calling the appointment in the one case "permanent," and in the other not, would seem to be a very unsatisfactory mode of deducing power to the President under the Constitution. It is in reality only the invention of a phrase not contained in the text, giving it an effect which the text itself, by the ordinary rules of interpretation, forbids. No instrument could long endure such experiments. The rights secured by it would become the sport of interested ingenuity, and language itself a snare.

We equally dissent from the construction implied by the substituted reading, "happened to exist," for the word "happen" in the clause. To say that an event which is to "happen" during a given period of time may logically be an event which does not happen during that period, but during another and an anterior period, seems to us to be a perversion of language. "Happen to exist," as here employed by Mr. Wirt, is plainly intended as the equivalent of "happen to be existing," or "in existence," and is used to imply (though it does not) a continuance or prolongation of the event (the vacancy) from a point of time anterior to the recess. Now, it is the *vacancy* that is to "happen." Certainly any event which has begun and become complete, must be said to have happened. But if a vacancy once exists, it has in law happened; for it is in itself an instantaneous event. It implies no continuance of the act that produces it, but takes effect, and is complete and perfect at an indivisible point of time, like the beginning or end of a recess. Once in existence, it has *happened*, and the mere continuance of the condition of things which the occurrence produces, cannot, without confounding the most obvious distinctions, be taken or treated as the occurrence itself, as Mr. Wirt seems to have done. The words "during their recess," are plainly intended to qualify and limit the term "happen." The vacancy is to happen during their recess. Now,

if the vacancy the President is authorized to fill may (as Mr. Wirt and his successors contend) take place indifferently during the recess or during the session, is it not evident that no meaning or effect whatever is given to the words "during their recess?" Are not those words practically expunged from the Constitution?

Again, we see no propriety in forcing the language from its popular meaning in order to meet and fulfil one confessedly great purpose, (the keeping the office filled,) while there is plainly another purpose of equal magnitude and importance (fitting qualifications) attached to and inseparable from the former. In such a case the argument *ab inconvenienti* has no force, because the anticipated evils on the one hand are counterpoised by those on the other.

But this forced and unnatural interpretation becomes more manifest in its results. Those results would quickly open the way to a practical deprivation of all power of the Senate over executive appointments. For if the President may in the recess appoint to and fill an office which during a session of the Senate was vacant, he may omit to make any nomination at a subsequent session, and at the close of it again appoint him under the idea of filling a vacancy, and so on from session to session. In the hands of an ambitious, corrupt, or tyrannical executive, this use of the power would soon bring about the very state of things which the Constitution so carefully guards against, by requiring, in express terms, that the advice of the Senate shall first be taken, and its consent obtained, before an appointment shall be made. We do not hesitate to say that this great safeguard of the public rights, interests, and peace is practically prostrated and destroyed by the insidious and, to our minds, totally unfounded construction which has been forced upon the clause.

The committee, in considering the subject, have not overlooked the subsequent opinion given by Mr. Attorney General Taney, in 1832, and that of Mr. Legaré in 1841. Although the latter thinks the question one of no difficulty, and it is, in his mind, so plain as to "admit of no doubt, whether it be considered as one of pure legal science, or as matter of public expediency," he carefully avoids putting it upon the ground taken by Mr. Wirt, that the word "happen" may be construed to mean "happen to exist;" which, as was too plain, at once revolutionized not only the letter but the apparent intention of the clause; but, with a far more adventurous spirit of interpretation, puts the claim of power upon the provision that the President "shall take care that the laws be faithfully executed."

If this be the proper location of the power; if, when an office has been created by Congress, and, for any cause, whether his own omission to nominate or the Senate's refusal to confirm, or the death or resignation of an incumbent, the office is vacant, he may fill it under the idea that this clause gives him a substantive power, it is quite clear that the other provision, which curbs and shackles him with the advice and consent of the Senate, is rendered entirely inoperative and nugatory. But the simple statement of Mr. Legaré's proposition seems to us to carry with it its own refutation, and we therefore dismiss it, with the obvious remark that this clause is only intended as

a requirement upon the Executive that he shall, so far as it depends on him, see to it that the laws are executed faithfully, in the manner and by the means which they themselves prescribe, not by any means which he may see fit to adopt, unknown to the laws.

We are aware that this construction has been, from time to time, sanctioned by Attorneys General, and, as recently as 1855, by Mr. Cushing, and that the Executive has, from time to time, practiced upon it. We are also aware of the great weight which such a continued practical construction is entitled to in considering the meaning and intent of a *doubtful* clause in a public act. But we have not been able to convince ourselves that such is the character of the provision. We think the language too plain to admit of a doubt or to need interpretation; and where such is the case, the language must not be wrested from its natural sense to avoid a supposed inconvenience.

And it is quite apparent, from all the arguments of the Attorneys General, that the real foundation of their conclusions is the assumed inconvenience to the public service of permitting an office to remain vacant during the recess, where the vacancy has happened during the session and remains unfilled at its close.

Cases, it is true, may occur, as they have occurred, where a vacancy may subsist after the session in consequence of the refusal of the Senate to consent to, or of its omission to act upon, a nomination; and exactly the same inconvenience may result, as it has on numerous occasions resulted, from the omission of the President to send in a nomination. It is also an inconvenience that a vacancy should continue for any length of time, whether occurring during the session or the recess, and yet vacancies must, from the very nature of the case, thus continue for a longer or shorter period. A similar inconvenience must necessarily have happened if the Senate had had no power whatever over appointments, and occurs from necessity in the most absolute governments. It is unavoidable. All this, however, was clearly foreseen by the framers of the Constitution when they used the language giving the power; and it strikes us as far more rational to conclude that they regarded this temporary inconvenience as outweighed by the advantage they had secured by requiring all appointments to office, except in cases of vacancy happening in the recess, to receive the sanction of the Senate. Their plan came as near to perfection as the nature of the case and the preservation of any effective power on the part of the Senate would admit.

If, however, it should ever be found that in the practical operation of the rule which we assert in opposition to the construction so long given to the clause serious inconveniences occur, we cannot doubt the power of Congress to provide a remedy of far safer application than the assumption of a power by the Executive not, in our opinion, granted by the Constitution. We see no objection whatever to the enactment of a law which shall, whenever a vacancy or non-occupancy shall occur during the session in any important office, and the public interests are likely to suffer before it can be supplied by the joint action of the President and Senate, enable the President to order the duties to be performed by some public officer to whose ap-

pointment the Senate has already consented. This should, of course, be done under proper guards and restrictions for the protection of the rights of the public. A general act embodying the necessary provisions could, in our opinion, afford as complete a remedy as in the nature of things is possible, and remove forever all ground of complaint growing out of the exercise of the at least very doubtful power in question.

The committee designedly abstain from discussing the power of the President to appoint and send abroad ministers and other public agents to foreign governments without obtaining the previous consent of the Senate, merely observing that from the very nature of his power to make treaties, the employment of such public agents is indispensable. Negotiations could not be carried on without them; and it is quite apparent that their functions do not constitute such an *office* as is implied by the term vacancy in the clause we have considered.

The committee have called upon the heads of the several executive departments for information as to the extent to which the practice has prevailed in their offices, and herewith report to the Senate the replies which have been furnished.

All of which is respectfully submitted, and the committee ask to be discharged from the further consideration of the resolution.

POST OFFICE DEPARTMENT, *December* 29, 1862.

SIR: I have the honor to acknowledge the receipt of your letter of the 27th instant, enclosing a copy of the resolution adopted by the Senate on the 16th instant, on the subject of the practice of filling vacancies during recess which occurred during the session of the Senate, and inquiring whether such practice existed in this department. In reply, I have to say that there has been no instance of such practice in the Post Office Department.

Very respectfully yours,

M. BLAIR, *Postmaster General.*

Hon. J. M. HOWARD,
Of the Senate Committee on the Judiciary.

NAVY DEPARTMENT, *January* 2, 1863.

SIR: I have the honor to acknowledge the receipt of your letter of the 27th ultimo, enclosing a copy of the resolution of the Senate of the 16th, "relative to the practice of appointing officers to fill vacancies which have not occurred during the recess of Congress (Senate,)" and inquiring "how far such practice has prevailed, if at all," in this department, "and whether any of the present incumbents hold by such appointments, and if so, what are the offices they occupy."

In reply to your inquiries, I have to state that I cannot learn that any practice has prevailed in this department of "appointing officers to fill vacancies which have not occurred during the recess" of the Senate. The inquiry has reference, perhaps, to appointments which may have been made during the recess of the Senate to fill vacancies that existed and were not filled during the preceding session. Such appointments, if any, must have been too rare, and have occurred at intervals too distant, to constitute a practice or usage.

On the 16th of July last, a day or two prior to the adjournment of Congress, an act was approved "to establish and equalize the grades of line officers of the United States navy." This act created grades of officers previously unrecognized by law in our navy, viz: rear admirals, commodores, &c. As these were new offices, it must be considered that, until filled, they were vacancies which had occurred while the Senate was in session. None of these vacancies were filled during the session, the Senate not having had time to act on the nominations that were sent to that body, and they have been filled by appointments made during the recess.

This course was adopted in view of the embarrassment and disorganization of the navy which the law would otherwise have unavoidably created; and it is believed to be in conformity not only with precedent and the opinion of the present Chief Justice and Attorney General, July 19, 1832, but in conformity with the requirements of the law itself under which the appointments were made.

The nominations of four rear admirals on the active list, and nine on the retired list, which were sent to the Senate, not having been acted on, the vacancies were filled, during the recess, in conformity with the opinion referred to.

With respect to the other new grades created, the fourth section of the law provided "that the Secretary of the Navy shall appoint an advisory board of not less than three officers senior to those to be reported upon, who shall carefully scrutinize the active list of line officers above and including the grade of masters in the line of promotion, and report to him in writing those who, in the opinion of the board, are worthy of further promotion," &c.; and the fifth section directed "that the officers recommended shall be *immediately* commissioned," &c.

The appointments to these grades, therefore, were made, not only "in accord-

ance with the Constitution," but in obedience to the requirements of the law itself. The vacancies happened to exist during the recess—not through any act or neglect of the President—and the law, as well as the exigencies of the service, required that they should be immediately filled. The names of the incumbents, and the grades respectively held by them, are shown by the last Navy Register printed by order of the Department.

It was, of course, intended that the nominations should be, and they have been, as early as practicable laid before the Senate.

I am, respectfully, your obedient servant,

GIDEON WELLES,
Secretary of the Navy.

Hon. J. M. HOWARD,
Committee on the Judiciary, United States Senate.

ATTORNEY GENERAL'S OFFICE,
Washington, January 5, 1863.

SIR: I pray you excuse me for the delay in answering your letter of December 27, written in behalf of the Judiciary Committee of the Senate, enclosing copy of a resolution of the Senate of December 16, "relative to the practice of appointing officers to fill vacancies which have not occurred during the recess of Congress," (Senate,) and asking "how far such practice has prevailed, if at all, in your (my) department of the government, and whether any of the present incumbents hold by such appointments."

I believe that the recital in the Senate's resolution, that the practice of making such appointments has, to some extent, prevailed, is strictly true. As far as my knowledge goes, it began as far back as (if not before) President Monroe's time. There are fewer instances of the exercise of the power in this department than in any other; only, I suppose, because there are much fewer officers registered in this department than in any other.

I have caused search to be made in the archives of this office, and do not find (and do not believe) that "any of the present incumbents hold by such appointments." If there be any such one, it is an accidental omission, unknown to me.

The latest instance of such an appointment, connected with this department, is that of Mr. Justice Davis, of the Supreme Court. But he does not hold by that appointment; for as soon as the Senate convened, and before he took his seat upon the supreme bench, he was nominated by the President, confirmed by the Senate, and commissioned in due form of law. Of course, he holds his office now by that permanent and perfect title.

I have the honor to be, with great respect, sir, your obedient servant,

EDW. BATES.

Hon Senator HOWARD, *&c., &c., &c.*

DEPARTMENT OF STATE,
Washington, January 12, 1863.

SIR: I have the honor to acknowledge the receipt of your letter of the 27th ultimo, enclosing a copy of a resolution of the Senate, making inquiry whether the practice "of appointing officers to fill vacancies which have not occurred during the recess of Congress, but which existed at the preceding session of *Congress, is in* accordance with the Constitution, and if not, what remedy shall

be applied." In answer, I have the honor to enclose herewith a list of the names of the persons so appointed, showing, also, whether they now hold office.

In regard to some of these appointments, the offices were newly created by Congress, and required special qualifications to fill them. There was not time enough for the proper consideration of the subject before the adjournment of the Senate. As to others, the compensation was in the shape of fees only, which inducement was not such as to invite applications for the offices. They were, consequently, filled as soon as proper persons could be found to accept them. This course has been adopted in all cases when the public interests seemed to require it. In regard to the constitutionality of this course, I would respectfully refer you to the opinions of the Attorney General, vol. 7, p. 223.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. J. M. HOWARD,
Committee on the Judiciary, Senate.

[Enclosed in letter from the Secretary of State.]

H. G. Wells, minister resident, Honduras, not in office.
William Stickney, secretary of legation, Lima, not in office.
Green Clay, secretary of legation, St. Petersburg, now secretary of legation at Turin.
William H. Wallace, governor of Washington Territory, not in office.
Cephas Brainerd, arbitrator under recent slave trade treaty, at New York, still holds the office.
William L. Avery, arbitrator under recent slave trade treaty, at Cape Town, now holds the office.
T. R. Hibbard, arbitrator under recent slave trade treaty, at Sierra Leone, now holds the office.
Amasa Mason, consul, Guayaquil, not in office.
James H. Coulter, consul, Montevideo, not in office.
Thomas Foster, consul, Tahiti, not in office.
Peter Lott, consul, Tehuantepec, deceased.
W. M. Weaver, consul, La Paz, not in office.
N. L. Wilson, consul, La Union, now holds the office.
R. C. M. Hoyt, consul, Minatitlan, now holds the office.
W. J. Stillman, consul, Rome, now holds the office.
Isaac Platt, consul, Candia, not in office.
William Moran, consul, St. Helena, not in office.
John de la Montagnie, consul, Nantes, now holds the office.
Thomas H. Dudley, consul, Liverpool, now holds the office.
J. P. M. Epping, consul, Gottenburg, now holds the office.
James Lesley, jr., consul, Nice, not in office.
Samuel A. Purviance, consul general, Calcutta, not in office.
William Moran, jr., consul, Bayonne, not in office.
Thomas Fitnam, consul, Gaspé Basin, now holds the office.
Edward Harte, consul, Macao, deceased.
Ladislaus Ujhazi, consul, Ancona, now holds the office.
William W. Murphy, consul, Brunswick, now holds the office.
F. Wippermann, consul, Galatza, now holds the office.
Ingersoll Lockwood, consul, Hanover, now holds the office.

DEPARTMENT OF THE INTERIOR,
Washington, January 22, 1863.

SIR: On the 27th ultimo you enclosed to this department a copy of a resolution adopted by the Senate on the 16th, instructing the Committee on the Judiciary "to inquire whether the practice which, to some extent, prevails in some of the departments of government of appointing officers to fill vacancies which have not occurred during the recess of Congress is in accordance with the Constitution, and if not, what remedy shall be applied," and requesting to be informed how far such practice has prevailed, if at all, in this department; and whether any of the present incumbents hold by such appointments, and if so, what are the offices they occupy.

Your communication was received by my predecessor, just as he was about retiring from the department, and was not observed by me until to-day. I hasten to inform you that no appointments of the character in question appear to have been made from this department, so far as I can ascertain.

With much respect, your obedient servant,

J. P. USHER,
Secretary of the Interior.

Hon. J. M. HOWARD,
Of the Judiciary Committee, Senate United States.

TREASURY DEPARTMENT, *January* 22, 1863.

SIR: I have the honor to acknowledge the receipt of your letter of the 27th ultimo, enclosing "a copy of the resolution of the Senate of the 16th December, relative to the practice of appointing officers to fill vacancies which have not occurred during the recess of Congress, (Senate,) and instructing the Committee on the Judiciary to inquire," &c.

The committee desire to be informed how far such practice has prevailed, if at all, in this department of the government, and whether any of the present incumbents hold by such appointment, and if so, what are the offices they occupy.

The office of surveyor at Memphis, Tennessee, was vacant during the last session of the Senate, and filled November 20, 1862, by the appointment of Renel Hough. This appointment, however, as surveyor was erroneous, and I directed his commission to be vacated, and that he be appointed a special agent, to act as surveyor under the authority contained in the 5th section of the act, approved July 14, 1862, entitled "An act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes."

I have the honor to be, very respectfully,

S. P. CHASE,
Secretary of the Treasury.

Hon. J. M. HOWARD,
Judiciary Committee, United States Senate.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 81.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 4, 1863.—Ordered to be printed.

Mr. RICE, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany Bill S. No. 495.]

The Committee on Military Affairs have had under consideration the memorial and joint resolutions of the corporation of the city of Washington relative to a railroad from the waters of the Chesapeake to Washington and thence, by the way of the Point of Rocks, to Hagerstown; also a connecting link of road between Cumberland and Connellsville—this latter forming with the first-named roads and the intermediate road a line which shortens the distance between the capital and Pittsburg, as well as to all points west, one hundred and ten miles, as shown by accompanying map.

The memorial sets forth the condition of Washington to the surrounding loyal States, its almost helplessness of position because of its dependence upon only one railroad, and points to the fact that "the capital of no other great nation in the civilized world is so nearly isolated from its sources of reliance; London having ten railroads extending outward as means of support and military protection, Paris seven, Berlin five, Vienna four; and Richmond, the rebel capital, has five, and these have been extended under the pressure of a defensive war, and without one tithe of the vast resources of our legitimate government. By means of these railroads the rebels were recently able to concentrate their troops in that city, and hurl them in vast numbers upon our beleaguering army."

The memorial urges that the safety of the capital, the protection of the archives, the means of subsistence of the army and of the citizens, and the true economy of government, require additional railroads; and that nothing can contribute more to either of these ends than the construction of roads to Harper's Ferry and the Chesapeake bay. It says: "These facts attest it: The distance from Washington to Harper's Ferry will be reduced fifty-one miles. Had this road been made, the first battle of Bull Run would have been our victory; the massacre at Ball's Bluff could not have occurred; the retreat of Banks, and consequent loss of quartermaster's and commissary's stores and munitions at Martinsburg, would not have taken place; the rebel army could not have crossed into Maryland; Harper's Ferry

would not have surrendered; the recent raid into Pennsylvania would not have been conceived or carried out; for the simple reason that this single road of forty miles could, in each instance, have transported all the requisite forces to aid or repel in the short time of one and a half hour. For want of it, the Union arms, in most of the cases, have been disgraced, the federal treasury has lost more than ten times its cost of construction, and the wastage of money for its want is continuing to a fearful extent." And in evidence of this, it gives a detailed statement of the transport of troops, munitions, &c., showing that the excess of prices and distance causes an expenditure at the rate of three million three hundred and fifty-five thousand dollars per year beyond what the same transportation could be done for if these roads were in use.

The earnestness of the memorial, the facts it sets forth, the high and respectable source from which it emanates, has entitled it to the most serious consideration of the committee. and they cannot but concur in views which are so clearly patriotic, and in aiding a result which will prove so beneficial to the nation.

A railroad of not over twenty-five miles from the deep water of the Chesapeake in a direct line to Washington, would enable supplies, materials, men, and munitions of war, to be shipped from any port of the Atlantic States to, and be delivered at, Washington, at greatly reduced rates for transportation.

It now costs the government to bring freight of first class from Boston to Washington, $15 50 per ton ; from New York, $7 68 per ton ; from Philadelphia, $4 64 per ton. The same freight, if sent by water, and over this short Chesapeake road to Washington, would cost from Boston, $4 50 per ton; from New York, $3 75 per ton. If, for greater speed, steam should be used, this rate would be increased from Boston to $7 50 per ton; from New York, $6 per ton.

The rivers which flow into Long Island sound form, with that sound, the harbor of New York, Raritan bay, the Delaware and Raritan canal. the Delaware river, the Chesapeake and Delaware canal, and the Chesapeake bay, a continuous inland water facility from the interior of the extreme New England States to this Chesapeake and Washington road; and once made, we shall doubtless see propeller vessels placed upon the line, from all points upon these interior waters having business relations with Washington.

How far such lines would conduce to the economical use of the government may be ascertained by the following comparison:

It is stated that the movement of troops has been an average of 30,000 per month, and that freight has reached as high as 1,500 tons daily.

This is below the actual number of men; for, as nearly as can be ascertained, 750,000 have been carried over the railroads within 12 months. This is counting each way.

Assuming New York as the initial point, the expenditure for railroad transportation has, on troops alone, been about	$3,750,000
If to this the whole freight transportation is added, between the same points, it amounts to	4,137,200
Total	7,887,200

It is not probable that the whole, or nearly the whole, of this freight came over this entire distance; but it will not alter the *proportion* of expense if we assume the same quantity to come by the other or interior water route.

By a steam line through the bay, the canal, and river route—each steamer towing the requisite barges—troops could be transported from New York, in forty-eight hours, to Washington, with more comfort to themselves and less exposure.

Freight could also, in the same time of forty-eight hours, be carried between the same points; and for the foregoing number of troops and quantity of freight the transportation would be—

750,000 troops	$1,312,500
1,500 tons freight daily for 12 months	2,430,000
Total	3,742,500

or a saving, if these quantities were actually carried, of $4,144,700, or in proportion to that upon all troops and articles of freight which should be sent by such a new and valuable mode of conveyance.

The closing of the Potomac river by ice is no unusual occurrence, and hence this road, direct to the waters of the Chesapeake, for this reason and for rapid and economical means of transport under existing circumstances, and to guard future contingencies, may well be deemed a military necessity.

The extension of the railroad westward, by the Point of Rocks to Hagerstown, and the connecting link from Cumberland to Connellsville, add vastly to the resources of Washington—the first giving access to the defences of the valley of Virginia by the short distance of forty miles; the second opening the route through the Cumberland valley into Pennsylvania, and thence by Harrisburg to the city of New York, and also in a direct line northward to the lakes; the third making a complete through line to Pittsburg, more than one hundred miles shorter than any existing railroad route. This connected line would save time and heavy expense upon all troops and supplies for the government, whether eastward or westward; and in view of a prolongation of the war, or of foreign wars, these roads may be regarded also as military necessities.

It is an important consideration that this line from Washington to Pittsburg will form the shortest and most direct connexion with the great Pacific railroad, already provided for by Congress.

The aid asked for requires no expenditure by government, nor does it seem that there is even a risk of any ultimate loss or payment by it to secure the construction. A simple guarantee of the bonds of the company, for which they pledge their road, rolling stock, and real estate to an amount greatly beyond the bonds guaranteed, with a portion of their revenue sufficiently large to form a sinking fund for liquidating the bonds within their term, is all the aid called for.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 82.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 9, 1863.—Ordered to be printed.

Mr. LANE, of Indiana, made the following

REPORT.

[To accompany bill S. No. 509.]

The Committee on Military Affairs and the Militia, having had under consideration the subject of organizing the signal corps of the army, report for that purpose the accompanying bill, (H. R. 352,) and recommend that it may be passed.

This bill, presented as an amendment, and by way of substitution for H. R. 352, passed unanimously by the House of Representatives, April 16, 1862, provides for a force less in number than that contemplated in that bill. This is done after full consultation with the signal officer of the army, and with the experience in management of the force in the field for eighteen months past.

The object of the bill is to organize, for the term of the war, for its more perfect instruction, discipline, and management, the force now known and serving as the acting signal corps of the army, but which is made up of officers and men temporarily detached from regiments, and serving under circumstances unjust to them; and, at the same time, preventing the most skilful and thorough discharge of their duty.

This contemplated organization is temporary, and closes with the rebellion.

The rebel congress has, by two acts, organized the signal service of the rebel army.

To compete with this, the United States have no force organized by law.

An acting signal corps has now been serving for eighteen months, and some organization of this corps is indispensable. This bill provides for one chief signal officer, a colonel, one lieutenant colonel, two majors; and for each army corps or military department, one captain, not more than eight lieutenants, and in the proportion of one sergeant and six privates for each officer. But no officer or enlisted man can serve in this corps until he shall have been examined

and approved by a board to be convened for that purpose by the Secretary of War. The officers to be appointed by the President, by and with the advice and consent of the Senate.

The bill provides for two clerks in the office of the signal officer. The large amount of property now in the hands of signal officers, and the appropriation of the present session, render their services necessary.

The corps cannot be organized more economically and efficiently than by this bill.

In no case can the number of officers to be appointed for an army corps, say twenty thousand men, exceed one captain and eight lieutenants.

If such be the rule of the President, there need be but a single captain for an army corps.

The field officers for the whole army of the United States are only four in number.

The expenses for, and losses of property, will be greater without than with its passage.

The expense to the United States for pay of officers will be about the same, whether this bill does or does not become a law.

There are now, and have been for many months, on duty, but temporarily and not thoroughly organized, the number of officers probably to be provided for by this bill.

On signal duty, November 10, 1862: Captains, 19; lieutenants, 127; enlisted men, 448.

This force since increased.

It is intended these officers and men shall remain on this duty. They are now compelled to serve upon it.

They have served faithfully, and often gallantly.

The casualties in the field have been: One wounded at battle of Winchester; one stricken senseless by a shell at Yorktown, Virginia; one killed on gunboat Mound City at Fort St. Charles, Arkansas; one killed during bombardment at Harrison's Landing, Virginia; one wounded at Harrison's Landing, Virginia; two wounded and three killed, of six men accompanying the signal officer, at battle of Ralston's mill, North Carolina; one captured at Petersburg, Virginia; two at Sugar Loaf mountain, Maryland; two at Fairview, Maryland; one at the mouth of Battle creek, Alabama; three at Murfreesboro', Tennessee.

The private soldiers serving in this corps for now a year and a half have not had open to them even the grade of a corporal.

The officers are shut out from legitimate and just promotion.

While thus held and serving, and without reward, the consolidation of regiments, and the expiration of the terms of service, will deprive many of the most skilful of their commissions.

The service everywhere has been more expensive and less efficient than it would be if organized.

If this duty is not to be recognized, and those upon it are to have no legitimate promotion, every officer and man kept on it is virtually degraded. This is ungenerous and unjust.

It is impossible to instruct, discipline, and control, without legal organization, a body of troops of this size, of which the members feel its duties may be only temporary, and in which neither their interests nor their responsibility are permanent.

The signal corps, in the field from the beginning of this rebellion, and taking some part in forty-seven different battles and expeditions, has won, by the good conduct and gallantry of its members and their valuable services, the honorable and commendatory notice of many distinguished generals and naval officers. On many occasions the assistance it has rendered could have been given in no other manner, and has tended effectually to favorable results to our arms.

The Secretary of War, in his annual report, says: "The report of Major Myer, of the signal corps, deserves your attention. The service of this corps to armies in the field, and for many military and naval purposes, is highly estimated. At present, it is without distinct organization, and is made up of officers detailed from other branches of the service. *A separate organization is recommended.*

"To the President:"

The committee cannot too strongly urge the speedy passage of this bill; satisfied as they are that the services of the signal corps, in this rebellion, have been most valuable, and that its organization is both necessary and just.

The project of this bill was submitted, by the signal officer of the army, to prominent generals for their views, and received these indorsements; which, with the accompanying letters, were, by authority of the Secretary of War, laid before the committee.

Indorsements on plan of a bill to organize a signal corps to serve during the existing war.

"Headquarters of the Army,
"*Washington, January* 6, 1863.

"I have never used the signal corps in the field and have never seen the operations of the system. I therefore have not such personal knowledge of its importance as to enable me to give an opinion.

"Relying, however, upon the opinion of the officers who have employed signal officers in the field, I respectfully recommend an increase of the corps.

"H. W. HALLECK,
"*General-in-Chief.*"

"New York, *January* 17, 1863.

"The operations of the signal department during the campaigns under my charge, have been so fruitful in results, imperfectly organized as the department, under existing laws, has been, as to promise,

under more favorable circumstances, in respect to the organization and development of the corps, a very advanced degree of usefulness.

"There is no limit to the advantage to be derived from the rapid collection and transmission of intelligence of the enemy's movements in a campaign or on the field of battle, or the ability to communicate orders with rapidity and accuracy.

"A quick apprehension of objects, good judgment, superior intelligence, and some military knowledge, or at least the aptitude to acquire it, are indispenable requisites to the forming a good signal officer.

"With selected material, this branch of the military service may be developed to an extent not now, perhaps, foreseen, with important gain to the public service.

"The officers now in the corps deserve a permanent status as a reward for faithful, intelligent, and gallant services.

"The project of the bill is good in itself, and I hope it will become a law.

"GEO. B. McCLELLAN,
"*Major General United States Army.*"

"Would suggest one addition to the 3d section, which is, in case the signal corps should be recruited by transfer from the regiments, *that the consent of the commanding officer of them be first obtained.*

"In other respects approved.

"JOSEPH HOOKER,
"*Major General C. G. Division.*"

HEADQUARTERS ARMY OF THE POTOMAC,
Camp near Falmouth, Virginia, January 27, 1863.

I would respectfully recommend that the signal corps have a separate organization, and that the vacancies caused by officers and men detached from their commands on that duty be filled. With regard to the details of the organization as to pay, numbers, &c., I cannot give any opinion.

D. N. COUCH,
Major General United States Army.

I concur fully in the above opinions of Major General Couch.

DANIEL BUTTERFIELD,
Brigadier General of Volunteers.

I cheerfully recommend the passage of a bill containing the within enactment.

A. E. BURNSIDE,
Major General.

I know no objections to the passage of the bill making the within organization for the existing war, and I believe that its passage will be conducive to the interests of the service.

A. B. FRANKLIN,
Major General Commanding Left Army of Potomac.

HEADQUARTERS TWELFTH CORPS,
January 25, 1863.

I most cordially approve the provisions of the enclosed bill.

H. W. SLOCUM,
Major General Commanding.

[Extract.]

Letters and reports from officers commanding land and naval forces.

HEADQUARTERS SECOND BRIGADE ENGINEER CORPS,
Beaufort, South Carolina, January 3, 1862.

SIR: * * * * * * * *

Now the signals came most beautifully and effectively into use. All the commands bore the flag which had been agreed upon, viz: a ground of white and blue. The signal officer, Lieutenant Tafft, was with the skirmishers, communicating constantly with his colleague, Lieutenant Cogswell, on board the Ottawa. The concert of action thus established was absolutely perfect.

* * * * * * * * *

Moreover, this is the first occasion the system of signals, invented by Major Myer has been tested in actual battle. I claim for the signal officers of my staff, Lieutenants Tafft and Cogswell, the merit of showing the code to be a perfect success, and myself the good fortune of commanding on the occasion.

Says Lieutenant Cogswell, who was on board the Ottawa: "Permit me, before closing, to call your attention to the able and efficient manner in which Lieutenant Tafft managed the signals on shore. During the whole march from Adams's Landing to the ferry he so managed it that only for a few minutes was he so situated that he could not instantly open communication, though in order to accomplish this he was frequently exposed to the direct fire of the enemy."

* * * * * * * * *

I am, sir, very respectfully, your obedient servant,

ISAAC I. STEVENS,
Brigadier General Commanding Land Forces.

Capt. L. H. PELOUZE,
Acting Asst. Adj't Gen'l, Engineer Corps, Port Royal, S. C.

ADJUTANT GENERAL'S OFFICE,
January 21, 1862.

Official.

E. D. TOWNSEND,
Assistant Adjutant General.

UNITED STATES GUNBOAT MARATANZA,
Acquia Creek, September 5, 1862.

DEAR SIR: I beg you to accept my thanks for the assistance you have rendered on board this vessel as signal officer. The rapidity and correctness of your code of signals is, in my opinion, admirable, and I should be pleased to see some such introduced in the naval service.

With my best wishes, I remain, very truly, yours,

G. H. SCOTT, *Commander.*

Lieutenant PAUL BABCOCK, Jr.,
Acting Signal Officer.

[Extract from report of Major General John Pope, in reference to operations of signal corps during the progress of the Virginia campaign.]

GENERAL: * * * * * * *

The detachment of the signal corps with the various army corps rendered most important service, and I cannot speak too highly of the value of that corps, and of the important information which from time to time they communicated to me. They were many times in positions of extreme danger in the discharge of their duties.

* * * * * * * *

I am, general, respectfully, your obedient servant,

JNO. POPE,
Major General.

Brigadier General G. W. CULLUM,
Chief of Staff and of Engineers, Headquarters of the Army.

HEADQUARTERS FOURTH ARMY CORPS,
Office of the Commanding General, Yorktown, Virginia, January 18, 1863.

SIR: Having employed myself in bringing your plans for the organization of the signal corps before the authorities when you first originated them, and having, from the commencement of this war, been in constant intercourse with you or your officers on duty in the field, I have been always a witness to the great advantages of your system of signals to the service. I therefore cordially agree that your corps of signal officers is justly entitled to the benefits of a separate organization, with rank and promotion as in other corps of the army.

I remain, with high respect, your most obedient servant,

E. D. KEYES,
Major General.

Major A. J. MYER, *United States Army,*
Chief of Signal Corps.

UNITED STATES STEAMER WACHUSETT,
West Point, York River, Va., May 15, 1862.

SIR: Lieutenant J. W. DeFord, 11th infantry, Pennsylvania Reserve Volunteer Corps, has been army signal officer on board this ship during the operations of the gunboats in York river, and it affords me much pleasure to say that his services have been of great advantage to me in managing the movements of the squadron, and he has been at all times attentive and prompt in the performance of his duties, and particularly were his services very valuable in the engagement between General Franklin's division and the gunboats and the rebel forces near this place on the 7th instant.

I am, very respectfully, your obedient servant,

WILLIAM SMITH,
Commanding United States Steamer Wachusett.

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
Roanoke Island, March 5, 1862.

MAJOR: By direction of General Burnside, I have the honor to communicate to you his acknowledgment of the very efficient service rendered by the signal corps under charge of Lieutenant Fricker.

Their rapid and accurate method of transmitting messages was found of great advantage, and available when no other means could have been used.

I am, major, very respectfully, your obedient servant,

LEWIS RICHMOND,
Assistant Adjutant General.

Major A. J. MYER,
Signal Officer, United States Army.

[Extract.]

UNITED STATES GUNBOAT GALENA,
James River, July 13, 1862.

SIR: I beg leave to express my opinion of the value of the mode of signaling invented by yourself and used in the army.

It can be seen when the navy signals cannot, by reason of calm weather, be distinguished. In misty weather it can be read further, as the motions of the flag are more visible than mere difference of color.

On the 30th of June and 1st of July, when we were required to cover the flanks of the army by firing upon an unseen enemy, your signals served to direct the fire, and the signals being given with the utmost precision, I hope our fire was thereby made useful.

Your method is no new thing with me, since I saw it used in Georgia between Freborn Cut and Wright river, across the Savannah river, at a distance which astonished me, and where navy signals could not have been seen. For the navy I think your code invaluable.

* * * * * * *

Very respectfully, your obedient servant,

JOHN RODGERS, *Commander.*

[Extract]

General Orders No. 20.]

HEADQUARTERS DEPARTMENT OF THE SHENANDOAH,
New Market, Virginia, April 21, 1862.

* * * * * * *

II. The officers and men of the signal corps, Lieutenant W. W. Rowley, company F, 28th New York volunteers, commanding, by their diligence, bravery, and success, have given proof of the perfect adaptation of their system of signals to every condition and position of the army. On the field of battle, in the thickest of the fight, they have transmitted orders with the utmost rapidity and unerring accuracy. In the pursuit of the enemy, foremost in the advance, they have kept our communications open on every side by a mobilized telegraph, which shifted its position and renewed its capacity for the transmission of intelligence with the momentary change of events.

It is but just to officers and men to announce the entire success of their labors, and the satisfactory discharge of the very important duties assigned them.

* * * * * * *

By command of Major General N. P. Banks.

R. MORRISS COPELAND,
Assistant Adjutant General.

UNITED STATES STEAMER CIMMERONE,
James River Flotilla, August 2, 1862.

SIR: It affords me great pleasure to certify to the efficiency of your new system of army signals. It is the very best I have ever seen, and far surpasses any other I am acquainted with for compactness and great ease in the method of transmitting messages; also, its faculty of language is greater than any other now in use. I trust it will be adopted in the naval service.

* * * * * * * * *

I make this statement, as I think every officer in the navy should give his experience regarding this system of signals, believing through this means it may eventually be introduced on shipboard.

Respectfully, &c.,

MAX WOODHULL,
Commander United States Navy.

Major A. J. MYER, U. S. A.,
Signal Officer of the Army.

HEADQUARTERS ARMY OF THE POTOMAC,
October 15, 1862.

GENERAL: The signal corps, under Major Myer, rendered, during the operations at Antietam, as well as at South Mountain, and during the whole movements of the army, efficient and valuable service. Indeed, by its services here, as on other fields elsewhere, this corps has gallantly earned its title to an independent and permanent organization.

I am, very respectfully, your obedient servant,

G. B. McCLELLAN,
Major General Commanding.

Brigadier General L. THOMAS,
Adjutant General United States Army.

[Extract]

UNITED STATES FLAG-SHIP WABASH,
Port Royal Harbor, S. C., January 3, 1862.

SIR: * * * * * * * * *

Lieutenant Cogswell, an acting signal officer of the army, was directed to report to me for duty, and furnished me with the means of constantly communicating with General Stevens, with a facility and rapidity unknown to the naval service. I take this opportunity of recommending that the code of signals invented by Major Myer be at once introduced into the navy.

I have the honor to be, very respectfully, your obedient servant,

C. R. P. ROGERS, *Commander.*

Flag-Officer S. F. DUPONT,
Commanding South Atlantic Blockading Squadron.

General Orders No. 24.]

HEADQUARTERS ARMY OF VIRGINIA.

The major general commanding takes occasion to acknowledge the very valuable services rendered by the signal officers of this army, and the parties under their charge, during the recent operations of this command against the enemy, and the engagement with them at Cedar Mountain.

Second Lieutenant Joseph H. Spencer, (acting signal officer,) who, during this period, was stationed on Thoroughfare Mountain, overlooking the camp of the enemy, was at one time driven with his party from that post by a regiment of rebel cavalry, but returned thereto at great personal risk, and re-established his station within two hours thereafter. The information furnished by him from this station was of an important nature, and assisted materially in the prosecution of operations.

First Lieutenants Brooks and Adams, (acting signal officers,) during the entire action on Cedar Mountain, were posted on the battle-field. First Lieutenant E. C. Pierce, (acting signal officer,) stationed at Culpepper, and First Lieutenant Wilson, (acting signal officer,) by their energy and universal attention to duty during this time in furnishing and receiving signal messages, rendered valuable service to the major general commanding the army.

By command of Major General Pope:

GEO. D. RUGGLES,
Colonel, A. A. General, and Chief of Staff.

Official. MYER ASCH,
Captain and V. Aide-de-camp.

UNITED STATES STEAMER MAHASKA,
December 3, 1862.

GENERAL: Having learned that Lieutenant Andrews, of the signal corps, has been detached from this vessel, I deem it proper to state that I consider the presence of a signal officer on board this vessel highly necessary for our efficient co-operation with the army under your command.

I have the honor to be your obedient servant,

FOXHALL A. PARKER,
Commanding and Senior Officer, York River vicinity.

Major General E. D. KEYES,
Commanding 4th Corps United States Army.

[Extract from official report of General I. I Stevens, of the battle of James Island, June 16, 1862.]

* * * * * * * * * *

My signal officers, Lieutenants Tafft and Howard, are worthy of honorable mention. Lieutenant Tafft took his station in an advanced and exposed part of the field, and kept constantly in communication with Lieutenant Howard, at the gunboats.

* * * * * * * * * *

The gunboats Ellen and Hale came into action at a late hour, but by their excellent range, obtained by the assistance of Signal Officer O. H. Howard, who had been upon the Ellen for several successive days, did very great execution

among the ranks of the enemy. * * * * Much credit is due them for the precision with which their fire was directed, at such long range. * * *

I. I. STEVENS,
Brigadier General.

[Extract from General A. E. Burnside's report of battle at Newbern, N. C.]

NEWBERN, NORTH CAROLINA,
March 16, 1862.

* * * * * * * * * *

By signals agreed upon, the naval vessels, with the armed vessels of my force, were informed of our progress, and were thereby enabled to assist us much in our march by shelling the road in advance. * * * *

I have the honor, general, to be your obedient servant,

A. E. BURNSIDE,
Brigadier General, Com'g Department of North Carolina.

General L. THOMAS,
Adjutant General United States Army.

UNITED STATES STEAMER YANKEE,
Off Acquia Creek, December 21, 1862.

MY DEAR SIR: When I learned that the portion of the Potomac flotilla under my command in the Rappahannock was no longer needed there, I left the river on Friday last; and as the communication with headquarters by the road was uncertain, and transportation difficult to obtain at Brisco mines, I deemed it advisable to bring the signal officers you so kindly detailed for my command to this point, where there is transportation by rail to your camp.

I cannot let this opportunity pass without telling you of how much service these gentlemen (Lieutenants Paine, Halsted, and Camp) have been to us during our stay in the Rappahannock.

The code, without a single exception, has worked admirably, and we have used it daily to keep up communication with the different vessels.

During our engagement with the enemy I had occasion to communicate by the code with my vessels, and notwithstanding the heavy firing and smoke, there was no failure to communicate promptly and correctly.

Your kind letter of to-day is received. Although there now exists no positive necessity for any of your corps remaining with me, an emergency might occur when their service would render us effective aid. For instance, if the enemy should make a dash on the quartermaster or commissary stores, or public property at this place, a signal officer on shore, and one on board, would enable us to use our guns; without them we might fire into our own troops. I should, therefore, like to have two or three (the same party) if they can be spared.

Should you require them, you can telegraph, and they can go by the next train to camp.

If this suggestion meets with your approval, please communicate by telegraph.

Yours, very truly,

SAMUEL MAGAW,
Lieutenant Commanding, &c., &c.

Captain SAMUEL T. CUSHING,
Chief Acting Signal Officer Army of the Potomac.

Respectfully forwarded for the information of the chief signal officer, United States army.

SAMUEL T. CUSHING,
Captain and Chief Acting Signal Officer, Army of the Potomac.

HEADQUARTERS SECOND BRIGADE, E. C.,
Beaufort, S. C., January 3, 1862.

DEAR SIR: I desire to express my great confidence in your code of signals, from my actual experience on the field of battle, and to call your attention to the great skill and merit of the signal officers of my command, Lieutenant Tafft and Lieutenant Cogswell.

In my official report of the affair at Port Royal ferry on New Year's day I have stated that the signaling was a perfect success. It was, indeed, an extraordinary success. So far as I am advised, this is the first time it has been tested in actual battle.

It affords me the greater satisfaction to be able to give this testimonial from the circumstance that I had faith in your code in the beginning, as you will well remember, and lent my humble name in favor of your appointment to your present position.

Truly, your friend,

ISAAC I. STEVENS,
Brigadier General Commanding.

Major ALBERT J. MYER,
Signal Officer of the Army, Washington City.

POTOMAC FLOTILLA, UNITED STATES STEAMER YANKEE,
Off Aquia Creek, December 21, 1862.

SIR: On the 1st instant Captain Cushing, chief signal officer of the army of the Potomac, detailed for duty under my command Lieutenants Paine, Halsted, and Camp, and while in the Rappahannock the facility with which they communicated, and the correctness of their communications, elicited the admiration of myself and the officers of the several gunboats under my command.

On the 10th six of our steamers were attacked by two batteries of the enemy just below Port Royal, they attempting to drive us down the river, or from our position. Amidst heavy firing and much smoke the signal officers conveyed constant and correct information between myself, van, and rear. I take the liberty of calling your attention, &c.

I have the honor to be your obedient servant,

SAMUEL MAGAW,
Lieut. Com'r, Com'ng 1st Division Potomac Flotilla.

Major A. J. MYER,
Chief Signal Officer U. S. A., 158 *F street, Washington, D. C.*

UNITED STATES MILITARY TELEGRAPH.

To Adjutant General U. S. A.:

Staynes, Ludwick, Wood, and McNary are transferred (orders three hundred and eighty-eight) from this army to Memphis. This order breaks up my small

signal corps, which I had just in working trim. Cannot believe it intended to deprive this army of signal corps. Therefore, earnestly ask order to be rescinded.

W. S. ROSECRANS,
Major General.

Received December 22, 1862, from Nashville.

ADJUTANT GENERAL'S OFFICE,
December 22, 1862.

Respectfully referred to the signal officer.

E. D. TOWNSEND,
Assistant Adjutant General.

OFFICE OF THE SIGNAL OFFICER,
Washington, December 23, 1862.

Upon the within representation of Major General W. S. Rosecrans, it is requested that so much of Special Order No. 388, current series, recommended by this office, as relates to the signal corps in the department of the Cumberland, be rescinded.

It becomes the duty of the signal officer to now state that it is impossible for him to properly supply the many demands for the services of signal officers with active armies, and to urge upon the honorable Secretary of War the propriety of recommending immediate legislation for the organization of the corps.

ALBERT J. MYER,
Signal Officer of the Army.

HEADQUARTERS OF THE ARMY,
Adjutant General's Office, Washington, January 21, 1862.

SIR: I take great pleasure in executing the instructions of the general-in-chief by enclosing, for your information, an extract from the report of Brigadier General I. I. Stevens, commander of an expedition against the enemy's batteries opposite Port Royal island, South Carolina, dated the 2d instant, in which your system of signals is very highly commended.

I am, sir, very respectfully, your obedient servant,

E. D. TOWNSEND,
Assistant Adjutant General.

Major A. J. MYER,
Signal Officer United States Army, Washington, D. C.

WOODSTOCK, VIRGINIA,
April 2d, 1862.

MAJOR: In reply to your communication it affords me sincere pleasure to be able to state that Lieutenant W. W. Rowley, acting signal officer, and his signal corps, have been of essential service to myself and my command, previous to, during, and since the battle of Winchester. They kept me invariably informed of every movement of the enemy, and thus enabled me to make dispositions to counteract him.

One thing has struck me in relation to this corps, and especially as it regards its chief, Lieutenant Rowley. I have never witnessed more fearless courage than has been displayed by them in the discharge of their duty; such has been the

rapidity and gallantry with which they dashed forward and hoisted their signals, at points that I still thought occupied by the enemy, that I sometimes mistook for a moment their signals for the flags of the rebels.

Take it all in all, I consider this signal system in the hands of skilful and resolute men, like those of this corps, as one of the most extraordinary devices for obtaining intelligence of the enemy's movements, and for continuing our own movements simultaneous, that has appeared in our age and country.

I truly regret that I was not better acquainted with its full capacity at the battle of Winchester, for I now think if I had I could have employed it in a manner to have insured the entire destruction of the enemy.

I have the honor to be your obedient servant,

JAMES SHIELDS,
Commanding Division.

Major R. MORRIS COPELAND,
Assistant Adjutant General, Department Shenandoah.

HEADQUARTERS 18TH ARMY CORPS,
Newbern, North Carolina, December 31, 1862.

MAJOR: It affords me great pleasure to bear witness to the generally efficient and faithful performance of his duties by Captain David A. Taylor, chief acting signal officer in this department, and especially during the late march to Goldsboro' and the action near that place, where he was constantly in the advance, and was very efficient in the selection of proper positions for the artillery, &c.

I remain, sir, very respectfully,

J. G. FOSTER,
Major General Commanding.

Major A. J. MYER,
Signal Officer United States Army.

HEADQUARTERS 5TH ARMY CORPS,
White Plains, Virginia, November 7, 1862.

* * * * * * * * *

From the moment Captain Babcock and his party joined me, near Sharpsburg, to the present time, the party has been actively, energetically, and, in many cases, perseveringly engaged in opening communication with general headquarters and other points of observation, and has been of the best service to me and the corps. * * * If it were in the power of the commanding general to provide signal parties at each corps headquarters, the value of the system would be more highly appreciated and their presence always desired if they work as faithfully and intelligently as Captain Babcock and his party. Their services at the present time, when there are so many prominent points of observation, are especially valuable in aiding communication with different points of the army, and inestimable in case of a general action.

F. J. PORTER,
Major General Commanding.

Indorsement on report: Paul Babcock, jr., captain and acting signal officer.

HEADQUARTERS DEPARTMENT OF NORTH CAROLINA,
Newbern, North Carolina, May 2, 1862.

Your communication of March 27 was placed among my private papers, and thereby escaped the prompt attention it should have had.

The signals referred to in the sentence of my report quoted in your letter, were made either by or under the immediate direction of Lieutenant Fricker, the chief of my signal corps, and were of the most efficient service in keeping open communication with the navy.

The efficiency of his code of signals has, I think, been most fully established, and is held in high esteem by all who have become acquainted with or have seen its operations.

I cheerfully bear testimony to the invaluable aid they have been to me in this expedition, and do not hesitate to recommend the introduction of a general system of field signals throughout the army.

I will add that at Roanoke, Newbern, and during the siege of Fort Macon, by placing the signal officers on the boats and at different points on shore, I was enabled to keep up a constant communication with the navy.

Very respectfully, yours,

A. E. BURNSIDE,
Major General, Commanding Department of North Carolina.

Major ALBERT J. MYER,
Signal Officer, United States Army.

The accompanying communication from Commander Foxhall A. Parker was indorsed as follows:

"Respectfully referred to Major General Dix. Lieutenant Andrews has telegraphed that he is ordered on duty at Fort Monroe. No orders to relieve him from duty have been received here. I consider Lieutenant Andrews's services absolutely necessary here. He has acted in concert with Lieutenant Benson, and has been posted on the gunboat. At no place have I seen greater necessity for two signal officers than here.

"E. D. KEYES, *Major General.*

"DECEMBER 3, 1862."

ON BOARD UNITED STATES GUNBOAT CURRITUCK,
Upper Pamunkey River, June 17, 1862.

Lieutenant George J. Clarke, 62d New York State volunteers, acting signal officer, reported to me for duty May 7, 1862.

The system of signals used by him (Major A. J. Myer's) has been of great service, working always with invariable success.

From experience I am convinced that Major A. J. Myer's system of signals is unequalled for simplicity and rapidity of working.

WM. F. SHANKLAND,
Acting Master, Commanding United States Gunboat Currituck.

HEADQUARTERS DEPARTMENT OF THE SOUTH,
Hilton Head, Port Royal, South Carolina, November 22, 1862.

MAJOR: It affords me much gratification to be able to bear testimony to the value and efficiency of the code of signals introduced by you in this army, as also to the zeal and ability of First Lieutenant E. J. Keenan and the officers of the signal corps in this department under my command.

I have had opportunities during the late expeditions under my command to St. John's and Pocotaligo, especially when co-operating with naval forces, of remarking the fluency and correctness with which even the most comprehensive messages were conveyed by this admirable system. In the field, also, this corps is of great importance in regulating the fire of artillery and insuring the accurate co-operation of troops, while the simplicity of the signal apparatus adapts it to any position where the least elevation can be obtained.

The signal corps in this department is further of great use to. and conduces much to, the safety of the command in general, by insuring headquarters speedy communication with the outposts.

I have the honor to be, major, very respectfully, your obedient servant,

J. M. BRANNAN,
Brigadier General, Commanding Department.

Major A. J. MYER,
Signal Officer, United States service.

BEAUFORT, NORTH CAROLINA, *May* 11, 1862.

I take great pleasure in acknowledging the very efficient services rendered by officers of the signal corps on duty with the third brigade during the action of Roanoke and Newbern, and especially during the investment and reduction of Fort Macon.

JOHN G. PARKE,
Brigadier General, Commanding Third Division.

HEADQUARTERS FIRST DIVISION,
Newbern, North Carolina, May 18, 1862.

I can bear full testimony to the value of the services of Lieutenant Gordon, both as signal officer and aide-de-camp to myself during the whole time he has been serving on my staff.

At the battle of Roanoke island and Newbern he displayed marked bravery while acting as my aid in carrying orders under a very hot fire.

While advancing towards Newbern from the place of landing at Slocum's creek, Lieutenant Gordon was always in the very advance with me, and ready at any moment to send up rockets, which we used as we advanced to inform the fleet of our movements.

I make the above full statement as a simple act of justice to a brave and efficient man, who has been of decided service to me.

J. G. FOSTER,
Brigadier General U. S. A., Commanding Division.

FLAG-SHIP WACHUSETT, *September* 28, 1862.

DEAR SIR: I cannot part with Lieutenant Clum and his associates of your corps without expressing to you, and through you to them, the high opinion I entertain of their character as gentlemen and officers. It will always afford me great pleasure to have them again under my command should circumstances make it necessary,

I am, very respectfully, yours,

CHARLES WILKES, *U. S. N.*,
Commanding Potomac Flotilla.

Major MYER,
Chief of Signal Corps, United States Army.

[Extract.]

Official report of General Weitzel of battle of Georgia Landing, Louisiana.

HEADQUARTERS RESERVE BRIGADE,
Bayou Lafourché, near Thibodeaux, La., October 29, 1862.

MAJOR: * * * * * *
The signal corps, also, has been of great service to me.
* * * * * *

Very respectfully, your obedient servant,

G. WEITZEL,
Brigadier General United States Volunteers,
Commanding Reserve Brigade.

Major GEO. C. STRONG,
Assistant Adjutant General,
Department of the Gulf, New Orleans, Louisiana.

[Extract.]

Report of the march of the first division, fifth corps d'armée, from Strasburg, Virginia, to Williamsport, Maryland, on the 24th and 25th days of May, 1862.

HEADQUARTERS ARMY SHENANDOAH.

* * * * * *

The signal corps, Lieutenant W. W. Rowley commanding, rendered most valuable service on the field and on the march. There should be some provision for the prompt promotion of officers and men so brave and useful as those composing this corps.

* * * * * *

N. P. BANKS, *Major General.*

Hon. E. M. STANTON,
Secretary of War.

HEADQUARTERS MIDDLE DEPARTMENT,
Baltimore, Maryland, April 7, 1862.

SIR: It is my desire to have Lieutenant William Yamblyn, assistant signal officer, permanently assigned to this department, on signal duty. Nearly all of the old regiments have been ordered away, and there are constantly arriving new regiments that require instructions. It is my desire, therefore, that Lieutenant Yamblyn should be assigned to the duty, as he has given good satisfaction while under my command temporarily.

The major general commanding suggests that it would be advisable to have one officer at each of the forts, McHenry, Federal Hill, and Marshall, instructed in the system of field signals, so that each post could communicate with the other in case of need.

By request of Major General Dix.

Very respectfully, your obedient servant,

D. T. VAN BUREN,
Assistant Adjutant General.

Major A. J. MYER,
Signal Officer, United States Service.

WASHINGTON, *D. C., August* 11, 1862.

MAJOR: I am directed by Brigadier General Silas Casey, United States army, to inform you that acting signal officers First Lieutenant Wm. S. Stryker, 12th Virginia volunteers, First Lieutenant J. W. Hutchinson, 3d Virginia volunteers, were of essential service to General Casey in the evacuation of White House, Virginia, on the 28th June, 1862.

I have the honor to be, very respectfully, your obedient servant,

E. WALTER WEST,
Lieutenant and Aide-de-Camp,

Major A. J. MYER, *United States Army,*
Signal Officer Army of the Potomac, Harrison Landing, Va.

ORDNANCE OFFICE, NAVY YARD,
Boston, May 19, 1862.

SIR: I cheerfully state my convictions of the great utility of the system of flag communications, as practiced on board the Wachusett, under my command, at York river, during the past month of April, in establishing and keeping up in the most satisfactory manner the necessary intercourse between the army and naval forces; and that the above services were performed in the most prompt and intelligent manner by yourself as senior, and your assistant associated with you in the duty.

I would commend the system in the strongest terms as a military necessity of the present day.

Respectfully, sir, your obedient servant,

J. S. MISSROON,
Commander, United States Navy.

Lieutenant J. W. DE FORD,
Lieutenant and Signal Officer, United States Army.

UNITED STATES STEAMER SEMINOLE,
Norfolk, Virginia, June 11, 1862.

SIR: While the United States steamer Wachusett, under my command, was operating in York river in the month of May last, before and after the evacuation of Yorktown, Lieutenants De Ford and Clum, with four privates of the United States army signal corps, were on board. I found their services very valuable in communicating promptly with the army, and also with the vessels of the flotilla, on board of which signal officers were stationed.

Particularly on the 7th May, at Mess Point, when General Franklin's division was attacked by the rebels, the services of the signal officers were of great advantage to me, enabling me to communicate with the forces on shore much quicker than I could have done by boats or any other means in my power.

From my personal observation, I think that the services of the army signal corps have been of great value to us in our co-operation with the army in the rivers of this neighborhood.

W. SMITH,
Commander United States Navy.

UNITED STATES GUNBOAT MARATANZA,
James River, June 17, 1862.

MY DEAR SIR: I desire to express to you my thanks for the valuable assistance you have rendered while on board this vessel as signal officer.

More particularly upon the occasion of the battle at West Point, when General Franklin's command was attacked by an overwhelming force, your services in this capacity call for marked recognition and acknowledgment, as it was through your assistance I was enabled to take up exactly the right position, and pour my fire into an unseen enemy with precision and effect, tending greatly to his discomfiture and repulse.

I hope the department will speedily recognize the value of your services, and that the day is not far distant when some such code as that used so advantageously by the army will be introduced into the naval service.

Wishing you full opportunities for usefulness to the country and yourself, I remain, very truly, yours,

T. H. STEVENS,
Lieutenant Commanding.

Lieutenant PAUL BABCOCK,
United States Signal Corps.

OFFICE OF COMMISSARY OF SUBSISTENCE,
Headquarters, Army of the Potomac, December 7, 1862.

CAPTAIN: It gives me much pleasure to inform you that the signal telegraph line from these headquarters to Belle Plain has been of great service to me in transmitting messages to and receiving them from the subsistence depot at the latter named place.

The messages have been transmitted quickly and accurately, and I regard the line as of much importance to operations in the field.

I am, captain, very respectfully, your obedient servant,

H. T. CLARK,
Colonel, and A. D. C. and C. S.

Captain S. T. CUSHING,
Chief Signal Officer, Army of Potomac.

HEADQUARTERS ARMY OF THE POTOMAC,
Office of Chief Quartermaster, Camp near Falmouth, Va.,
December 8, 1862.

CAPTAIN: I desire to thank you for the very prompt manner in which you extended your field signal telegraph line from this camp to Belle Plain, and to express to you my perfect satisfaction with the great usefulness and accuracy of the line. I have used it daily, and have found it a rapid and efficient mode of communication with that depot.

It must necessarily be of infinite service and importance to an army in the field, furnishing, as does the signal telegraph, a prompt and sure means of communication between the different depots, corps, grand divisions, and general headquarters.

I am, respectfully, your most obedient servant,

RUFUS INGALLS,
Lieut. Colonel, and A. D. C. and Chief Quartermaster.

Captain CUSHING,
Chief Signal Officer, Army of the Potomac.

The reports of the signal officers, which were also placed before the committee, make a record of great interest, and the committee recommend also that they be printed.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 83.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 9, 1863.—Ordered to be printed.

Mr. MORRILL made the following

REPORT.

[To accompany bill S. No. 510.]

In the case of the ship "Argo," the facts are these: The ship was under a charter in 1861 to proceed to City Point, Va.; thence to Bremen with a cargo of tobacco, on foreign account; and thence to Quebec. While loading at City Point the ports of Virginia were blockaded, allowing to owners until the fifteenth of May, 1861, to load and clear their vessels.

The "Argo" left City Point on the twelfth of May, and was proceeding on her voyage to Bremen, and on the fourteenth of May, at Hampton Roads, was seized and taken possession of by the United States flag-officer of the blockading fleet, and sent to New York as prize of war.

The ship was held in custody of officers of the United States at the latter place until the twenty-fourth of May, when she was released, and afterwards returned to the custody of the captain, by order of the Secretary of the Navy, no legal proceedings having been instituted.

The owner of the ship "Argo" presents a claim against the government for money paid in New York, the port to which she was taken, being her expenses, &c., $2,051 60. For damages of detention eighteen days from her seizure at Hampton Roads on the fourteenth of May, and her discharge and departure on her voyage from New York on the thirty-first of that month, estimated at $5 50 per ton per month, $3,557 34. For damages consequent the delay of the ship at New York, whereby she lost her return cargo at Bremen, which was to be taken on a given day, $3,000. For extra insurance, by reason of being late at the river St. Lawrence, on her return voyage, $800, and for loss of two anchors and one cable, $490.

The committee deem a claim for disbursements and expenses in the port of New York, the direct result of her detention by the govern-

ment, and also the damage for detention, should be paid by the government.

The claims for supposed loss of return cargo at Bremen, money paid for insurance, loss of anchors and cable, do not fall within the same principle; the contingency upon which they are based, remote and uncertain, and are not such as the government can recognize as just.

The committee estimate the expenses and disbursements at New York $1,916 98, and damages for detention eighteen days, at four dollars per ton per month, one thousand and seventy-five tons, $2,580.

The following papers are made a part of the report: The memorial of the owner; protest and extension of same; letters of R. T. McCook; general clearance of ship; certificate of the Bremen consul; letters of minister of Bremen, Secretary of State, Secretary of the Navy, and Commodore Stringham.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 9, 1863.—Ordered to be printed.

RESOLUTIONS OF INSTRUCTION.

IN THE SENATE OF THE UNITED STATES,
December 22, 1862.

Resolved, That a select committee of three members be appointed to inquire into and report to the Senate the facts, including brokerage, in regard to the chartering of transport vessels for the Banks expedition, the seaworthiness of such vessels, and the character of the men employed to navigate them; and that they be empowered to send for persons and papers.

Ordered, That Mr. Grimes, Mr. Morrill, and Mr. Kennedy be the said select committee.

Attest: J. W. FORNEY, *Secretary*.

IN THE SENATE OF THE UNITED STATES,
December 23, 1862.

Resolved, That the select committee of the Senate appointed on the 22d instant, to inquire into the matter of chartering transport vessels for the Banks expedition, be also instructed to inquire into the manner of the employment of transports generally by the quartermasters of the army, or by the agents of the War Department, the rates at which they were engaged, by whom, for what purpose, and for how long time.

Attest: J. W. FORNEY, *Secretary*.

Mr. GRIMES, from the select committee to investigate the facts in regard to the employment of transport vessels, submitted the following

REPORT.

The select committee appointed in pursuance of the resolution of December 22, 1862, "*to inquire into and report to the Senate the facts, including brokerage, in regard to the chartering of transport vessels for the Banks expedition, the sea-worthiness of such vessels, and the character of the men employed to navigate them,*" *and instructed by resolution of December* 23 "*to inquire into the manner of the employment of transports generally by the quartermasters of the army, or by the agents of the War Department, the rates at which they were engaged, by whom, for what purpose, and for how long time,*" *beg leave to submit the following report:*

The committee regret that the time allotted to them for the performance of the duty mentioned in the resolution of December 23

was too brief to allow more than an opening of the vast subject of "the employment of transports generally by the quartermasters of the army, or by agents of the War Department." The examination of witnesses was commenced on the 26th of December, and from that date to the 15th of January the committee directed their labors principally to the investigation of the facts relating to the chartering of transports for the Banks expedition, of which a report has been submitted. Much perplexity has been felt in finding a suitable place to stop the investigation and report the results already reached to the Senate—each fact pointing to others of apparently great importance, and each witness suggesting by his testimony the names of persons who seemed likely to throw much light on the subject. The approaching end of the thirty-seventh Congress admonished the committee that if any practical benefit were to be derived from the investigation, it must be brought to a close at once. The following facts are submitted in the order, chronologically, of their ascertainment by the committee:

CHARLES COBLENS AND JOHN F. PICKRELL, OF BALTIMORE.

Among the extraordinary developments of this investigation are the facts relating to one Charles Coblens, of Baltimore, Maryland, in whose business relations with the government, fraud, bribery, and perjury struggle for the most prominent place. This Mr. Coblens is a Prussian by birth, an Israelite by descent, a peddler and a horse jockey by profession. He is wholly unfamiliar with commercial pursuits, aside from the selling of Yankee notions at retail and trading horses by the head, and he testifies that he can neither read nor write English. He admits that he has already refunded fifteen hundred dollars to the government, which had been fraudulently obtained upon sales of horses by bribing the inspector; that he bribed three of the clerks in Colonel Belger's office, and that he had some connexion with a sale of damaged corn to the government. He appeared before the committee as an extensive ship-owner, and would now seem to be a very wealthy person, rejoicing in the possession, in whole or in part, of ten steamers, three barges, and eighty acres of valuable land in the vicinity of Baltimore, though but a few months ago he was comparatively a poor man. The vessels owned, in whole or in part, by Mr. Coblens, are the steamers Patapsco, Baltimore, Telegraph, James Murray, Lioness, Edwin Forrest, Fairy Queen, Cecil, Haswell, and Lily, and the barges Delaware, Miss Mary, and John Warner, all of which are now, or have been, under charter to the government. The following table, compiled from the testimony of Mr. Coblens, Mr. A. C. Hall, and Mr. John F. Pickrell, and the reports of Colonel Belger and General Meigs, exhibits Mr. Coblens's transactions

with the government in the chartering of transports for the War Department:

Names of vessels.	Cost of vessels	Rate of charter per day.
Steamer Patapsco	$1,200	$85
Steamer Baltimore	21,500	250
Steamer Telegraph	7,000	125
Steamer James Murray	9,333	100
Steamer Lioness	5,000	45
Steamer Edwin Forrest	4,500	40
Steamer Fairy Queen	4,000	40
Steamer Cecil	5,000	80
Steamer Haswell	3,000	40
Steamer Lily	----------	35
Barge Delaware	2,500	70
Barge Miss Mary	2,250	25
Barge John Warner	----------	12
Total	65,283	947

The rules of arithmetic show that Mr. Coblens was receiving money from the government at the rate of $345,655 per annum, on a capital of $65,283, which is equal to 529½ per cent. per annum on his investment. The cost of the steam-tug Lily and the barge John Warner was not ascertained by the committee; but they are obviously of little value. Mr. Coblens affirms that repairs were put on the steamer Patapsco amounting to $2,500; but the testimony of Captain William T. Rice, of Baltimore, an experienced steamboatman, and familiar with the Patapsco, goes to show that she was worth next to nothing. Captain Rice says: "He (Hall) subsequently bought an old iron boat called the Patapsco for $1,200—an old boat that had been thrown away as perfectly useless by the commissioners for deepening the harbor of Baltimore. They threw her away, and Hall went down and bought her last February or March for $1,200, *and put her in this man Coblens's name*, and chartered her to the government at $80 per day, as I am informed. She cannot do service enough to pay for the fuel she consumes. * * * She paid for herself before the end of the first month." The running expenses of the Patapsco were not more than $12 per day, probably less; and she yielded a clear profit to her owner at the rate of $26,645 per annum, which is equal to 720 per cent. per annum on her aggregate cost as stated by Coblens. But it would appear from the testimony of Mr. Hall (page 117) that she was chartered to the government at $85 per day before she was sold to Coblens, and therefore before any repairs were put upon her, thus bringing a profit to her owners of 2,220 per cent. per annum on their investment. The Patapsco was chartered by Mr. John Tucker, (page 331.)

Hardly less profitable was the charter of the barge Delaware, whose running expenses were not more than $7 per day—Mr. Hall says "six or seven dollars per day." She was chartered to the government at $70 a day by Mr. Tucker through Mr. Hall, (Captain

Hodges signing the charter-party,) and her net receipts were at the rate of $22,995 per annum. The *value* of the Delaware is stated by Mr. Hall (page 120) at $2,500. Captain Rice says (page 368) that Hall paid $1,500 for her, and that she was intrinsically worth about $300. She was repaired at the government's expense, between July 28 and August 12, (see Colonel Belger's report of vessels repaired at Baltimore,) to the amount of $1,833 43, Colonel Belger paying the bills. Mr. Hall says that she was a large and superior vessel; but Mr. Pickrell informs us (page 213) that she ended her career by sinking at Point Lookout, at the mouth of the Potomac. Taking this barge at Mr. Hall's exaggerated valuation, she yielded a profit of 919⅘ per cent. per annum. Mr. Pickrell testifies that she had been under charter four months at $70 per day when Coblens bought her, having therefore, paid for herself three times, according to Hall's statement of her value, before she changed owners. That this chapter of fraud may want no odious and shameless feature, Mr. Hall affirms (page 120) that "Captain Hodges and Mr. Tucker thought shé was the cheapest thing they chartered."

The running expenses of Mr. Coblens's fleet could hardly have exceeded fifteen per cent. of their earnings, judging from the cases of the Patapsco and Delaware. This would leave a net profit at the rate of $293,807 per annum on the limited capital of sixty-five or seventy thousand dollars invested. In addition to the vessels enumerated, the barge Frances appears in Colonel Belger's list as having been chartered of Charles Coblens at the rate of $12 per day; but the same vessel appears in General Meigs's list as having been chartered of A. C. Hall; and the committee believe that in the numerous discrepancies which are found between the two lists, of which more particular mention will be made, General Meigs's is to be regarded as the correct one.

It should be remarked at this point, that all the vessels bought by Coblens were under charter to the governwent when purchased, the charters having been generally effected by Mr. Hall, and he receiving five per cent. commission on their earnings, and many of them were owned by Hall before passing into Coblens's possession.

Between Mr. Coblens and one John F. Pickrell, of Baltimore, there existed a curious and extraordinary partnership, not the least remarkable feature of which is furnished by the conflicting testimony of the two persons themselves. Mr. Coblens testifies, under oath, (page 189) that Mr. Pickrell is his general partner in the boat business, as well as in other business transactions with the quartermaster's department in Baltimore. Mr. Pickrell testifies, under oath, (page 208,) that he is not Mr. Coblens's general partner in anything. Coblens says that although he and Pickrell were general partners, there was no firm name, no firm signature, and that neither was authorized to sign the other's name. The testimony of the two witnesses agrees as to one thing, namely, that Coblens furnished all the money, and Pickrell disbursed it and took half the profits, beside charging a commission of five per cent. on receipts, and two and a half per cent. on disbursements. Coblens, being unable to read or write English, and

having no control over his own funds except what happened to be deposited to his individual credit in bank, testifies that he employed a clerk to act as a check on Pickrell, but never asked the clerk anything about the books, or, as he says. (page 197,) "I don't ask the clerk any questions at all about it." Mr. Pickrell affirms (page 222) that Mr. Coblens does not keep a clerk, or if he does, he (Pickrell) is not aware of it. Mr. Henry Diggs, the person designated by Coblens as his clerk, testifies (page 361) that he is not Mr. Coblens's clerk; that he is not employed by Coblens in any capacity, and never has been; that Coblens has no books, and that he (Diggs) is the bookkeeper of John F. Pickrell. Mr. Diggs testifies further, that it does not appear from the books that Coblens and Pickrell are partners in any transactions, nor that they are jointly interested in any vessels.

Mr. Coblens and Mr. Pickrell became acquainted for the first time about eighteen months ago. Mr. Coblens is unable to say how he came to form a partnership with Mr. Pickrell, except that somebody recommended him to do so. Mr. Coblens was interrogated on two occasions for the purpose of eliciting the name of the individual who had recommended Mr. Pickrell as a suitable person to take charge of all his property, divide all his profits, and take from two and a half to five per cent. additional from all his receipts and disbursements. Mr. Coblens was utterly unable, on either occasion, to recall the name of that individual. Mr. Pickrell's version of the matter is, that he first saw Coblens in a back corner of Colonel Belger's office; that Colonel Belger remarked, (page 218,) "There is a perfect Rothschild, and there is a man who will have my business;" that thereupon Coblens put a sum of money into his (Pickrell's) hands to buy ten thousand bushels of oats; that thereupon he (Pickrell) "bought it and charged it, and put the money to his (Coblens's) credit." From this confidence transaction the partnership grew to the proportions already indicated. The inherent improbability of this story is heightened by the testimony of Colonel Belger, who testifies (page 53) that he never said that Coblens "should have his business," or "was doing his business." The following citations from the testimony will illustrate the remarkable character of the partnership between Coblens and Pickrell:

Testimony of Charles Coblens—page 197.

"Answer. You see he (Pickrell) has got the whole control in his hands. I give him money to pay it and disburse it, and I don't know then how he pays it, or whom he pays it to.

"Question. You do not know anything about it?

"Answer. No, sir.

"Question. You furnish the money, and do not know what becomes of it?

"Answer. He disburses it, and I don't know how."

Same—page 199.

"Question. Do you know of his (Pickrell) using one cent of his own money in connexion with your boat business?

"Answer. I don't know.

"Question. Do you not know that Pickrell is not your partner in the transaction of your boat business?

"Answer. I know he gets half the profits. That is all I can answer. I consider him my partner.

"Question. Don't you know that he is not furnishing one cent for your transactions in the boat business?

"Answer. No, sir; I don't.

"Question. Can you swear that he is furnishing one cent?

"Answer. No, sir; I can't.

"Question. You only know that he gets one-half of the profits?

"Answer. That is all.

"Question. You furnish the money?

"Answer. Yes, sir, and attend to it all."

Same—page 200.

"Question. You do not know whether you have made a profit or lost since you have been in the business?

"Answer. No, sir.

"Question. You do not know whether you are worth anything now or are insolvent?

"Answer. No, sir; I don't. I have made some money. I don't know how much."

Mr. Coblens's testimony consists principally of negations. He is not only unable to tell how much money Mr. Pickrell put into the partnership, or whether he put any in; but he cannot tell how much Coblens himself put in. He does not know how much he was worth when the partnership was formed, nor how much he owed. The only thing pertaining to his business that he is entirely clear about is, that "he is an honest man, and an honest man can get along almost anywhere."—(Page 173.) Mr. Pickrell testifies (page 222) that Mr. Coblens has often congratulated himself on the nature of this business arrangement, and is very much pleased with it.

The committee submit that a partnership in which there is no firm and no common signature; where one party, having little or nothing to begin with, furnishes all the capital, and within eighteen months prosecutes a business with the government yielding at the rate of $345,655 per annum; where the other party invests no capital, but receives half the profits and a large commission on gross receipts and disbursements; where the party furnishing the capital does not know how much he furnished, and knows nothing at all about the disbursement of his funds, nor whether he is now worth anything or is insolvent, and yet is perfectly satisfied with the arrangement; where the party furnishing the capital cannot tell who recommended him to form such a partnership, and where the other party cannot give an intelligible account of how he came to form the partnership, presents features so astounding that a jury would not give the slightest credence to the testimony which supports it. The committee are com-

pelled to believe that Mr. Coblens is only a convenient tool in the hands of more astute, if not more unprincipled, men.

If any further evidence is needed concerning the nefarious alliance between Coblens and Pickrell, it is furnished in the testimony of Captain William T. Rice, of Baltimore, the former owner of the steamer Cecil, of which more particular mention will be made hereafter. The only person connected with the government, so far as the committee have discovered, who enjoyed the acquaintance of Mr. Pickrell before the breaking out of the rebellion, was Mr. John Tucker, late Assistant Secretary of War, who testifies that he has known Pickrell eight or nine years, and that he has heretofore had business transactions with him. None of the witnesses seem to have known Mr. Coblens before the commencement of the war, and they generally speak of him in contemptuous terms, as a person of no consequence, whose precise position in connexion with the transport service is not fully divulged.

MR. AMASA C. HALL, OF BALTIMORE.

Mr. Amasa C. Hall, of Baltimore, has played a very conspicuous part in connexion with the chartering of transport vessels at that port. Hardly any vessel has been chartered there during the past eighteen months that has not been secured through his agency, and of whose earnings from five to twelve per cent. has not found its way to his pocket. During that time it has been understood among ship-owners, agents, and brokers, that no vessel could secure a charter of the quartermaster at Baltimore unless she was offered by Mr. Hall; and several of them testify that, knowing this, they were compelled, much against their will, to resort to him to do their business.

So singularly exclusive was the monopoly of this business enjoyed by Hall, that it at length attracted the attention of the quartermaster general, who called Colonel Belger's attention to it by two letters, printed in connexion with his testimony. Assistant Secretary Tucker's attention was also called to it more than once by General Meigs, (see General Meigs's testimony, page 294,) but neither of those officers seems to have made any special effort to correct the abuse. The evidence furnished by Hall himself, (page 58,) in his letter to Colonel Belger, throws much light on the otherwise intricate question of his monopoly. He says: "The Hon. John Tucker, Assistant Secretary of War, is aware of and fully understands the nature of my business transactions with the government as an agent for the owners and masters of vessels, and I would respectfully refer to him for any information on the subject that General Meigs, quartermaster general, may require." This intimation seems to have put a stop to further grumbling, and Mr. Hall went on as prosperously as before.

According to the "list of vessels chartered by the quartermaster's department at Baltimore since July 1, 1861, by Colonel James Belger," furnished by the quartermaster general of the United States army, of the two hundred steamers, brigs, tugs, schooners, ships, and barges thus chartered, one hundred and sixty were char-

tered directly from Hall; and the testimony shows that twenty-two of the remaining forty were owned by parties for whom he acted, and who paid him not less than five per cent. of the earnings of their respective vessels. The committee are quite confident that, if their time had permitted them to pursue the investigation further in this direction, it would have demonstrated that Hall, in some way, received a broker's commission on nearly, if not all, the remaining eighteen of the two hundred vessels included in this list.

An examination of the column of prices at which these vessels were chartered will furnish data by which to show the enormous revenue derived by Hall, when taken in connexion with the fact, abundantly proven, that in no case was his brokerage commission less than five per cent. upon the entire earnings of the vessels, and ranged from that figure to ten and twelve per cent. It is true Hall testifies that he only received two and a half per cent. on some of these vessels; but he cannot specify the vessels, and only two of the parties with whom the division was made; and his statement, as to this point, is disproved by his own statements to Belger and others, and by the testimony of one of the parties named by him as a person with whom the commissions were divided.

The committee have failed to discover any satisfactory reason why Hall was permitted to enjoy this monopoly of chartering vessels. There was nothing in his antecedents or character to justify it. He was a poor man eighteen months ago, with a character not wholly above reproach; he is now rich, and fast growing richer by the receipt of a large daily revenue from commissions upon the earnings of vessels still in the government employment. The bestowal of this large patronage almost exclusively upon him cannot be reconciled with any theory of strict integrity on the part of government officers. Although the testimony may not warrant the conclusion that any officer actually shared with him the profits derived from his business, yet the fact that these officers, who knew all the circumstances, acquiesced in the continuance of this monopoly, should subject them to the most severe reprehension; and it is not easy to suppose that motives of charity alone impelled them to throw such vast sums of money into his pocket. The monopoly itself was unjustifiable and blameworthy, but more especially when it was known that Hall was extorting exorbitant commissions from the owners of vessels for his pretended agency.

It is no apology for either Mr. Tucker or Colonel Belger to say that they did not know, until a recent period, that such commissions were charged. It was their duty to exercise at least ordinary care, attention, and diligence. They should have known what seems to have been well known by every man connected with the transport business in Baltimore. They were bound to know the character and the conduct of the man they entrusted with public business of such magnitude.

In fact, Colonel Belger did know it; for he admits (pages 31 and 34) that Mr. Hall told him he was receiving five per cent. commission on the charters effected through him. The time when he became pos-

sessed of this knowledge is shown by the testimony of Mr. William Applegarth, of Baltimore, to have been as early at least as January or February, 1862. Mr. Applegarth's statement is important in another point, showing that he offered to charter vessels directly to Colonel Belger, and thus save the five per cent. to the government, but that Belger nevertheless required him to go to Hall and pay him the commission. He says, (page 242,) "I then asked him [Belger] why he did it. Said I, 'Colonel Belger, you are subjecting me to paying five per cent. commission, when I could serve you with the vessel as low or lower than to Mr. Hall, *because I would not have the commission to pay.*'

"Question. Then Colonel Belger knew that Hall compelled you to pay five per cent. commission?

"Answer. Yes, sir; I told him so, and I asked him why he subjected me to it. He said, 'Oh! Hall is a very clever man,' and turned me off in that way."

Mr. John R. Rhoads, of Baltimore, also testifies, (page 247:)

"Question. Did you ever apply to Colonel Belger to charter your vessels?

"Answer. Yes, sir.

"Question. What did he say?

"Answer. He said that Mr. Hall was the man.

"Question. To charter your vessels?

"Answer. Yes, sir."

Mr. Rhoads goes on to say that he paid Hall 7½ per cent. on vessels belonging to other parties, chartered through himself and Hall to the government, and that he took 2½ per cent. additional as his own commission; and further adds that "it was 7½ to 12 per cent. that came out of the owner."

It is difficult to conceive that Mr. Tucker was ignorant of these monstrous extortions, extending over so long a period of time, and perpetrated upon so many different individuals; and if we believe that he was ignorant, we are driven to the conclusion that he was an unsafe and incompetent public servant.

During all this time Hall was acting in the double capacity of broker for the owners of vessels and as a sort of agent of the government. Belger says (page 32) that whenever he wanted a vessel he said to Hall, "I want such a vessel, and I don't want to go into the market for it. You go and pick me out such a vessel, and charter it at the lowest rate."

In regard to a large class of vessels chartered by Hall, Belger, in reply to the question, "Were the rates at which Hall chartered the vessels determined by you or him?" answered, "I had nothing to do with that. I just signed those (charter-parties) he presented to me to perfect the instruments—to give them official character. I don't know anything about it." And yet Belger admits (pages 31 and 34) that Hall told him he received five per centum on the earnings of the vessels he chartered, and for which Belger was signing the charter-parties. From this it would appear that Hall had the power, at his

will, to determine the price of the vessels he chartered for Belger, and thus enlarge or diminish the amount of his own commissions.

The committee have endeavored to discover the motives which led to the employment of Hall. He says himself (page 104) that some one recommended him to Colonel Belger as a suitable person to charter vessels; but he is profoundly ignorant of the name of the person who thus recommended him. The inference fairly deducible from the first fifteen pages of the testimony of Colonel Belger would be, that this valuable friend of Mr. Hall was the late Assistant Secretary of War, Mr. John Tucker; for Belger testifies (page 35) that when he went to Baltimore he "went there a stranger, and Tucker expressed such confidence in him, (Hall,) giving him those charters to make up, and he having acted for Captain Hodges in New York, I thought he was the very man for me to employ. Captain Hodges was the quartermaster at New York for that duty." It should be borne in mind, however, that Colonel Belger was wholly mistaken as to the capacity in which Captain Hodges acted in chartering vessels at New York. He was entirely subordinate to Mr. Tucker, and only placed his signature to charters already effected by the Assistant Secretary, for the purpose of giving them an official sanction. He had no power to select, inspect, or charter, save as personally directed by Mr. Tucker, and acted in *all* cases precisely as Belger says he did in nineteen out of twenty of the charters that he effected, viz: as the mere clerical agent of Tucker. Belger says (page 37) that nineteen-twentieths of the charters he signed were made "by Hall, by the direction of Mr. Tucker." When it is remembered that, according to Belger's report, appended to his testimony, the number of charters effected by him was three hundred and eighty-four, and that nineteen-twentieths of these, according to his statement, were really effected by Hall, at the instance of Tucker, though signed by Belger, an estimate may be formed of the magnitude and value of Hall's business. If Belger's statement be true, not less than three hundred and sixty of these vessel were thus chartered by him, under direction of Tucker, upon all of which Hall has received, is receiving, or is to receive, a commission of not less than five per cent. of their gross earnings.

Mr. Hall furnished, under oath, to the War Department, at some time previous to his examination by this committee, a list of vessels chartered by him for the government, with the date of charter, name and description of vessel, owner's or captain's or agent's name, rate of pay per day or month, tonnage, amount paid on charter, amount received by himself in commissions, and (in some instances) the time when the vessels were discharged. This list will be found in the testimony of P. H. Watson, Assistant Secretary of War, (page 297.) The committee required Mr. Hall to furnish them a list of vessels chartered by him for the use of the government, with dates, names, rates, commissions, &c., (p. 154.) The two lists, covering the same vessels and the same period of time, are, in many instances, so different that the committee cannot consider either of them true statements. The schooner Amytis, chartered April 17, appears in one list in the *name of Kelsey &* Gray, and in the other in the name of A. C. Hall.

The schooner Maria and Elizabeth (April 17) appears in one list in the name of William Rhoads & Son, and in the other in the name of A. C. Hall. Mr. Hall had probably inserted in the list furnished by him to the War Department his own name as agent, and in the other the name of the real owner, showing that he was acting in the double capacity of agent for the owners and agent for the government, regulating his own commissions by the amount he should bind the government to pay.

The steamer Fairy Queen (February 26) and the barge Baltic (May 15) appear in the list furnished to the committee as having been owned by A. C. Hall, chartered of A. C. Hall by A. C. Hall to the government, and A. C. Hall collecting commissions of A. C. Hall on their charter-parties—a very curious arrangement certainly. Probably Mr. Hall would explain that he sold the vessels after chartering them to the government, and collected the commissions after the title had passed out of his hands; but the committee cannot consider that that alters the moral features of the transaction. Mr. Hall's statement to the War Department of his aggregate commissions on fifty-six schooners, mentioned by name, chartered between April 14 and September 9, is $4,339 95. In his list furnished to the committee, he says his commissions on the same fifty-six schooners, chartered at the same dates, were only $4,027 49. If there should be any difference between the two sums, the amount reported to the committee should be the larger one, because it was furnished subsequently, and might possibly have included commissions on charter-parties received between the day he furnished his list to the War Department and the day he produced the other list for the committee.*

A similar discrepancy occurs in the amount paid and commissions received on the charter of the barge Mary Linda, (May 2,) the amount paid being $600 greater, and the commissions received being larger by a corresponding sum, in the list furnished to the War Department than in that furnished to the committee. The schooner Eclipse (March 5) appears in one list as chartered at $3 57 per ton per month, and in the other, at the same date, at $4 per ton per month. The schooner John Farnum appears in the War Department list as having been paid $6,717 20, and in the committee's list as having been paid only $916. Mr. Hall states, in the former list, that his commissions on this charter were $335 86, and in the latter that they were only $45 80. The most considerable discrepancy, however, is in the amount paid to the three steamers, Portsmouth, Juniata, and Pacific, which Mr. Hall states, in the list furnished to the committee, at $73,960; in the other list he makes it $37,730. That these sums were intended to cover the same period of time is shown by the fact that his commissions are the same in both lists, namely, $3,698—a result reached by stating in the committee's list that his commissions

* The schooner French (April 30,) appears in the list furnished by Mr. Hall to the War Department, but is not found in the list furnished to the committee. There being no commissions mentioned opposite the name of this vessel, it does not offer any explanation of the discrepancy referred to.

were five per cent., while in the other he states that his commissions on the Portsmouth and Juniata were ten per cent. In his oral testimony (page 105) he says that his commissions on the Portsmouth and Juniata were seven and a half or eight per cent. The whole number of vessels chartered by Hall to the government is stated, in his list furnished to the War Department, at 274, and in his list furnished to the committee, at 271. The aggregate of his commissions is stated in the former list at $41,434 53; in the latter, at $41,410 05. The committee believe that either of these sums (supposing either of them to be correct,) is only a portion, and not the larger portion, of his ill-gotten gains; for it has already been shown that he was receiving enormous profits from the charters of such vessels as the steamer Patapsco and the barge Delaware, before he sold them to Coblens.

The committee are aware that the presentation of these facts amounts to a charge of perjury. The discrepancies are too glaring, and Mr. Hall's prevarications and equivocations in his oral testimony too numerous, to warrant the belief that the differences in the two lists are merely clerical errors.

Among the lesser frauds practiced by Hall was a custom he fell into of using a government tug-boat, at Baltimore, to tow private vessels, and putting the money so obtained into his pocket. Mr. Hall testifies that he received the money, and that he did not credit it to the government on his books. He endeavors to show (page 111) that the sums so received were credited to the government in an account rendered on the last of July, but being interrogated directly on this point, (page 112,) he admits that they were not in the account.

THE STEAMER CECIL.

The corrupt use made by Hall of the exclusive privileges which he enjoyed at Baltimore is shown conspicuously in his dealings with Captain Wm. T. Rice, whose testimony (page 364) has been already referred to. Captain Rice was the owner of the steamer Cecil. He chartered her to the government, through Hall, at $75 per day, although he had previously told Hall he was willing to let the government have her for $50 per day. When Hall gave him the charter-party, Captain Rice was surprised to find $80 inserted instead of $75. Hall remarked to him, "I got you $80 per day ; you can give me the extra five." Captain Rice neither assented nor dissented. Not long afterward, the Cecil being in the service on the Potomac, Hall made a demand on Captain Rice for $262, saying that everybody else was paying him. Captain Rice refused to pay the sum demanded, or any other sum, remarking that he was willing to pay for services, but he would not pay black-mail. Hall remonstrated, saying, "You were willing to take $50, and I got $75, and then $80; and you ought to be willing to pay this." To avoid difficulty, Captain Rice gave Hall $150, and heard no more of him for six weeks or two months. At the expiration of this time Hall came to him again and demanded more "commissions." Captain Rice refused absolutely. Hall then took him to the back part of his office and called him a secessionist.

Captain Rice replied that he was not a secessionist, and that he could not be intimidated by the epithet. Hall then said, "I got a letter this morning, and if you don't pay this, I will get you into trouble. I got a letter this morning saying, 'Did Rice pay his commissions?' You will make enough money out of the boat, and must pay it." Captain Rice remained firm. A few days later Hall renewed his demand. Captain Rice replied, "I have told you already that I would not do it. It is a principle with me." Hall retorted, "Then I'll show you what will happen." The next morning John F. Pickrell went to Captain Rice, and informed him that Mr. Hall said the Cecil was discharged from the government service, but that a boat exactly like the Cecil was wanted by Captain Hunt down at Old Point, and as the Cecil was discharged, he (Pickrell) might buy her cheap. Mr. Pickrell then asked Captain Rice what he would take for the Cecil. The latter replied, $5,000. After some controversy, and after a conversation with Captain Applegarth, a friend of Captain Rice, who said that Hall had told him to tell Rice that "if he (Rice) would pay the commission the boat was not discharged," Mr. Pickrell's offer of $5,000 was accepted. Mr. Pickrell then said that he did not want to buy the Cecil for himself, but for another person, and he brought Coblens around to make the purchase.

Rejecting all the hearsay testimony, it appears that Hall, in his double capacity as ship-broker and government agent, engaged the Cecil for the government at $75 per day, when he knew he could have her for $50, and then inserted $80 per day in her charter-party, claiming the extra five dollars for himself. That when Captain Rice refused to countenance the swindle by paying the extra five dollars, Hall either annulled the charter or satisfied Captain Rice that he had done so, for the purpose of getting the boat into the hands of some one who would pay the usual black-mail. Pickrell was selected as a suitable person to do this, and he brought Coblens along to gather up the spoils for him. Captain Rice says that the Cecil was still under charter to the government at the date of his testimony, (January 27, 1863.) She was chartered to the government on the 24th day of February, 1862, and has consequently earned $27,040 in less than one year, although she was worth only $5,000. She was yielding 584 per cent. per annum. Mr. Hall in his report, given under oath to this committee, says that he has received only $120 in commissions on the charter of the Cecil; but in his report given under oath to the War Department, which was rendered prior to his appearance before the committee, and which will be found in the evidence of P. H. Watson, Assistant Secretary of War, he says he had received $484. One statement or the other is false; probably both are.

CAPTAIN RICHARD F. LOPER, OF PHILADELPHIA.

The testimony of Mr. Hall leads to an examination of Captain Richard F. Loper, of Philadelphia, whom the committee find to be in receipt of enormous revenues from the chartering of transports, derived partly from commissions received on vessels where he acted at the same time as agent of the government and agent of the owners; partly from the charters of vessels belonging to transportation com-

panies, of which he is a large stockholder; partly from vessels owned by himself, and chartered by or through himself, as government agent, to the government; partly from collections of money due to others on transportation account; and partly from his "influence." Mr. Hall testifies (page 105) that he paid Loper $13,000 at one time for "getting the business for him." The business referred to was the chartering of certain transports for the McClellan expedition. In answer to the question, "How much, in addition to what you have already paid him (Loper) do you consider yourself under equitable and mercantile obligation to pay him?" Hall replies, (page 106:) "I should consider myself under obligation to pay him one-half—that is, two and a half per cent., except on vessels chartered for the McClellan expedition."

Captain Loper is a wealthy man, who divides his time between Stonington, Connecticut, and the city of Philadelphia—his summer residence being in the former place, and his business principally in the latter. He is an extensive ship-builder and ship-owner, and the president of the Philadelphia Steam Propeller Company, in which he owns sixty or seventy thousand dollars of stock, and he holds for the benefit of the Philadelphia Steam Propeller Company one-third of the stock of the New York Express Steamboat Company. Captain Loper says (page 252) that he has "neglected everything since the war broke out but to attend to and try to assist the government and serve his country as much as in him lay." He assured the committee on several occasions that he had money enough before the war broke out for himself and his children, (he had been an agent in furnishing government transportation during the Mexican war,) and that he has been actuated solely by a desire to aid in crushing "this ungrateful rebellion." Mr. John Tucker, late Assistant Secretary of War, who has certainly known him long enough to form an opinion of him, attributes to Captain Loper great purity and patriotism. Captain Loper's connexion with the chartering of transports for the government during this war commenced as early as April 20, 1861, at which time he was appointed "assistant agent of the War Department" by J. Edgar Thomson, president of the Pennsylvania Railroad Company. The committee are unable to say by virtue of what law an "assistant agent of the War Department" was appointed, or how the appointing power came to be lodged in the hands of the president of the Pennsylvania Railroad Company. They would refer, however, to the appointment or commission itself, (page 274,) which purports to have been given by Mr. Thomson, "in accordance with the authority vested in me by the Secretary of War," the Hon. Simon Cameron.

Commencing on the 20th of April, 1861, to act as "assistant agent of the War Department," he commenced on the same day to receive five per cent. commissions on the earnings of vessels chartered by his agency. The first vessel he took up was the steamer W. Whilldin, April 20, 1861, owned by Anthony Reybold, at $175 per day, (Senate Ex. Doc. 37, page 2, 37th Congress 2d session.) Mr. Reybold testifies (page 370) that the Whilldin has remained in the service, under that

charter, to the present time, although her rate of charter was subsequently reduced to $150 per day. The receipts of the steamer Whilldin, up to the time of the delivery of Mr. Reybold's testimony, must have been somewhere between $97,650 and $113,925, on which Captain Loper's commissions were between $4,882 and $5,746. Mr. Reybold chartered the steamer Express to the government, through Captain Loper, at $175 per day, the Star at $110 per day, and the John Tucker at $300 per day, paying Loper five per cent. on their gross receipts. Through the same generous agency, Mr. Reybold chartered the Diamond State (375 tons) at $200 per day, the Swan (350 tons) at $200 per day, and the General Burnside (400 tons) at $300 per day, Captain Loper himself being part owner of them. Mr. Reybold testifies (page 373) that his own receipts from these charters were about $1,100 per day, or at the rate of $401,500 per year. Mr. Loper's commissions on Mr. Reybold's boats could not have been less than $20,000 per year, for, although he charged no commissions on the three boats of which he was part owner, it must be presumed that the amount which he derived from them, over and above a fair mercantile profit, was at least equal to five per cent.; otherwise he would have charged the commission. If the government had bought Mr. Reybold's fleet at the outset, instead of employing Captain Loper to charter them, it would have saved an immense sum of money.

Mr. William M. Baird, the treasurer of the Philadelphia Steam Propeller Company, of which Captain Loper is president, testifies (page 80) that the company declared a dividend of 50 per cent. last year, their capital being $340,000, and he thinks that a surplus was reserved from its earnings equal to 25 per cent. more. But he knows nothing in reality about the surplus, because, although he is treasurer, he has nothing to do with the funds. The directors of the company have great confidence in Captain Loper, and their confidence apparently is not misplaced. Having devolved the duties of treasurer, as well as president and general manager, upon him, by which means they are enabled to plead ignorance to questions regarding their financial resources, Captain Loper suddenly increases their dividends from 10 per cent. to 50 per cent. per annum, and saves a large surplus in addition. Mr. Baird, the treasurer, has a vague idea that the usual dividends of the company are from 10 to 25 per cent. per annum; but he cannot specify any particular year when they were more than 10 per per cent. prior to the breaking out of the rebellion. While Mr. Loper was acting as "assistant agent of the War Department," under the appointment of J. Edgar Thomson, he put the following steamers, belonging to the Philadelphia Steam Propeller Company, and the Express Steamboat Company, which are practi-

cally one and the same concern, into charter to the government at the following rates, respectively:

Date.	Name.	Tonnage.	Rate per day.
1861.			
April 20	Josephine	254	$150
22	Philadelphia	172	135
23	Thomas Sparks	300	175
27	Oneida, (barge)	133	30
27	New York	158	135
27	Middlesex, (barge)	124	30
27	Planet	282	150
27	Ann Eliza	211	125
May 7	Sophia	286	160
	Aggregate	1,920	1,090

The above list is derived from the letter of the Secretary of War, dated March 26, 1862, in answer to the resolution of the Senate o January 30, 1862, (Senate Ex. Doc., No. 37, 37th Congress, 2d sess.) Captain Loper has himself undertaken to furnish a list, under oath, of the charters which he effected during the same period of time which will be found on page 273. There are discrepancies betweei the two lists, which the committee will not attempt to explain. Th steamers Josephine, Thomas Sparks, Planet, Ann Eliza, and Sophia which appear in the report of the Secretary of War as having bee chartered by Captain Loper during the period of his agency, (namely between April 20 and May 8, 1861,) do not appear in Captain Loper' list at all. These steamers were owned in part by Captain Loper, a stockholder in the two companies. The real facts can be ascertained and the committee will leave it to other tribunals to determine wher the truth in this particular is to be found.

Being president, treasurer, business manager, and stockholder o the company, and "assistant agent of the War Department," Cap tain Loper had extraordinary facilities for making the charters to sui himself. It rarely happens, in the ordinary avocations of life, tha a person enjoys the privilege of buying his own property for anothe person, and fixing his own price upon it, or of buying other people' property for a third person, and regulating his own compensation b the amount of money he squanders; yet such seems to have been th manner in which the government has been served, not only in Cap tain Loper's agency, but in nearly all the business connected wit the transportation by water of troops, supplies, and munitions c war during the past eighteen months.

Captain Loper's assistant agency lasted only till May 8, 1861, a which time his commission was revoked by Mr. J. Edgar Thomson who informed Captain Loper that he had been notified by the Secre tary of War (Mr. Cameron) of the appointment of Mr. John Tucke as "United States transport agent." Mr. Thomson then wrote letter to the Secretary of War, stating that Captain Loper had bee

iring in his efforts to serve the country." The heavier opera- of Captain Loper began with the appointment of Mr. Tucker as ited States transport agent," and they have continued, without nission, during the whole of Mr. Tucker's two terms of office, ıs agent, and subsequently as Assistant Secretary of War. Mr. er employed Captain Loper to "inspect and recommend" all of vessels at Philadelphia, New York, and Annapolis, for va- services and expeditions, and Captain Loper proceeded to ;e from five to ten per cent. commissions on the gross earn- of vessels recommended to Mr. Tucker for charter. In some it was denominated a brokerage commission, in others a com- on for collecting, and in others still he received five per cent. rokerage, and five per cent. additional for collecting the sums o the owners. The testimony of Willmon Whilldin (pages 97–100) s that Loper took $8,000 from him on the earnings of the steam- 'ilot Boy and George Washington, being ten per cent. on the eds of their charter-parties. Captain Loper admits that he $5,000 from Mr. Anthony Groves on certain vessels, and Mr. es testifies, (page 90,) that in making the charter, he estimated he commissions he should be obliged to pay Loper, so that it y came out of the government.

ıe time allotted for this investigation did not permit the commit- o pursue their discoveries by examining all, or any considerable er, of the persons who paid Loper five per cent. or other com- ons. Captain Loper has furnished the committee a "list of ners recommended for charter for the use of the expedition un- command of Major General McClellan, United States army." number of steamers in this list is eighty-one, and Captain Loper ns that he received no commissions on any of them. Being in- gated whether the list embraces *all* the steamers recommended im for the McClellan expedition, he is unable to reply. Mr. testifies that he paid Captain Loper $13,000 for "getting busi- ' for him in the McClellan expedition, and Captain Loper ad- that he received the money. Therefore the above-mentioned ıas no significance, except as showing, on Captain Loper's oath, he did recommend certain steamers for the McClellan expedi- without getting a commission on them. He has also furnished list of vessels chartered at Annapolis, Maryland, for the Burn- expedition, and for which no commissions were charged." At ottom of this list the phraseology is changed, so as to read as ws: "All the within and above named vessels were recommended ıe to the Hon. John Tucker, and for which no commissions were ged *the owners by me.*" The distinction will be apparent, when understood that Hall was at Annapolis plying his vocation, charg- seven and a half per cent. commissions, and that he considers elf under obligation to pay Loper one-half of all his gains. A ıatic performance of much merit was enacted on this occasion. ain Loper testifies (page 257) that he sent a soldier around with sket to warn all captains, that if they had anything to do with ers or middle men, he would not touch their vessels, but would

send to New York and Baltimore for others. But he testifies (p 259) that he saw Hall there, that he chartered some vessels of] and that he did not send the soldier to notify him. Captain L says (page 259) that he is positive Hall did not get a commissio any vessels in the Burnside expedition; but Richard M. Heslen tifies that he paid Hall seven and a half per cent. commission vessels chartered for the Burnside expedition, and Hall himself, ı some equivocation, admits it.—(Page 118.) Captain Loper testifies he has known Hall since the year 1821—that is, forty-two years. says he has known Loper ten years.

Captain Loper's list of vessels chartered for the Burnside exp tion is singularly faulty. After certifying that "all the within above named vessels were recommended by me to the Hon. J Tucker," he testifies (page 276) that the Champion, one of the n ber, was chartered at Baltimore, and that he had nothing to do her, and that the Louisiana, another of the list, was chartered Mr. Brant directly to General Burnside, without being examine himself. In his list he says the Louisiana was chartered by J Tucker, and the report of the Secretary of War, previously refe to, (Senate Ex. Doc. 37, page 8, 37th Cong., 2d sess.,) says that was chartered by Mr. Tucker. The committee regret that their has not permitted an investigation into the facts connected with charter of the Louisiana, which was taken into the government vice on the 8th of January, 1862, at the enormous rate of $800 day, and is still in the service. Colonel Belger testifies (page that she was chartered by Tucker, and that he (Belger) has paid order of the quartermaster general, at different times, $200,41 for her services for 251 days. But if, as appears, she has bee the service over a year, there must be still a sum due her far gre than her value. Mr. James N. Muller, supervising inspecto steamboats at Baltimore, testifies (page 375) that the Louisiar worth about $30,000.

A singular fact connected with Captain Loper's extensive busi is that he keeps no account-books. He puts all his money, fro sources into bank, and has no other record than his bank-book; sequently he is unable to say what amounts he received from ticular individuals. He says he received "ten or twelve thou dollars" from Hall; Hall says it was thirteen thousand. Loper he received from three to five thousand dollars from Groves—it m have been either. This free and easy system of keeping accou taken in connexion with the contradictory testimony of witness the same facts, the contradictory testimony of Captain Loper to same facts, the contradictions between Captain Loper's testin and the official records of the War Department, and the multi business relations of Captain Loper with the government, rende impossible for the committee to state the amount he has fraudule received from the government. They would refer, in concluding branch of their report, to the two lists of vessels now in the ser of the government, owned in part by Captain Loper, or on w charters he is now receiving a commission.—(Pages 255, 256.) The

mer list (vessels owned in part by Capt. Loper, now in the government service) embraces 28 steamers, under charter at rates ranging from $120 to $700 per day each. Fifteen of the steamers on this list have no charter rates mentioned in the column intended to exhibit them. The proper figures for 12 of these were subsequently obtained from Captain Loper by interrogatories, so that the committee are enabled to supply the omission as follows: Steamers H. Burden, $120; Black Diamond, $140; Ironsides, $140; Ann Eliza, $130; Alida, $125; Beverly, $130; New York, $600; J. Brooks, $700; Diamond State, $200; Charles Osgood, $250; Quinnebaug, $250; Shetucket, $250 per day. The other list (vessels for which Captain Loper is acting as agent or "ship's husband," and collecting the money due on their charter-parties) embraces 16 steamers, at rates ranging from $40 to $300 per day each, and four steamers at rates between $6,560 and $7,975 per month.

STEAMER METAMORA.

Another extraordinary condition of facts is developed in connexion with this steamer. She was an old vessel, and cost her owners $25,000. She was chartered by Assistant Secretary of War John Tucker, though this gentleman has failed, for some unexplained reason, to include her name in the list he furnished to the committee of vessels chartered by him or under his direction. The price paid for her by the government was $450 per day. According to the testimony of Mr. Lewis Baker, one of her owners, "she was chartered to be delivered at Annapolis on the 6th of March, 1862. I state from memory. A telegram came on here from one of the owners in New York to deliver her there on the 6th of March, with 4,000 gallons of water on board. We got ready to run the blockade, and were stopped here on the night of the fourth by the quartermaster's department, at 4 or 5 o'clock in the afternoon. That is the time she was chartered." * * * * * (Page 60.)

"Question. When did your pay for the Metamora actually commence?

"Answer. We got paid from the first of the month.

"Question. Why were you paid for the six days prior?

"Answer. That is more than I can state. We were paid for her. * * *

"Question. Do you know of her having made a pleasure excursion?

"Answer. Yes, sir; we made an excursion on the 1st and one on the 2d of March down to a rebel battery opposite Mattawoman creek, called Cockpit Point battery.

"Question. Was that on private account?

"Answer. Yes, sir. It was our own boat. We knew nothing about the government then. That was on the 1st and 2d of March. * * * *

"Question. Those were two of the days for which you were paid by government?

"Answer. Yes, sir; we were paid from the first of the month."

The evidence shows that the Metamora was not only paid for least four days' services that she did not render, amounting to $1,8(but she was repaired at the expense of the government to the amo of $4,447 52, and that during the time she was undergoing repa (said by Baker to be fourteen days) she received her charter-pa pay, $450 per day. A part of these repairs consisted of bunkers, which the private trading stores of some of her owners, who w army sutlers, were carried; for it is shown that this vessel was u for private purposes, and that some of the owners realized upon trip of the vessel to Harrison's Landing the handsome profit of $3,1 It is stated by one of the owners, Mr. John P. Acker, and also Mr. John Tucker, who directed this large amount of repairs to done to the Metamora, (see his letter to Colonel Belger,) that t were paid by the government in consequence of damage done to by the performance of extra hazardous work in the early part of M 1862, when she was required to cross in boisterous weather fr Fortress Monroe to Cherrystone inlet. By reference to Major B ger's account of repairs done on her, it will be observed that items are—

May	29.	Repairing awnings, &c.	$32
	30.	Joiners' work, &c., and materials	361
	31.	Painting, &c., and materials	281
	31.	Pattern-makers' work, &c.	1,148
Aug.	27.	Carpenters' work, &c	2,623

It would be curious to know how the straining of this steamer heavy weather rendered necessary the application of $281 82 of pai or $1,148 04 of pattern-makers' work. By reference to Colonel B ger's report of vessels repaired at Baltimore under his direction, 304,) it may be fairly inferred that the dates were intended to des nate the times when the repairs were actually made, and not to times when the money was paid for them, because there are many tries of repairs marked "not paid;" and these, like the others, are provided with dates. The committee, curious to learn what connex existed between the strain received by the Metamora in May and $2,623 41 of carpenters' work put upon her in August, addresse letter to the Assistant Secretary of War, of which the following i copy :

SELECT COMMITTEE ROOM, UNITED STATES SENATE,
Washington, February 6, 1863

DEAR SIR: It appears from the list of vessels repaired at Baltimore, Ma land, under direction of Colonel James Belger, quartermaster, which list transmitted to me, for the use of the select committee of the Senate on the ch tering of transports for the Banks expedition, &c., by the honorable Secret of War, that the steamer Metamora received the following repairs:

1862, May 29. Repairing awnings, &c	$32
1862, May 30. Joiners' work, &c	361
1862, May 31. Painting, &c	281
1862, May 31. Pattern-makers' work, &c	1,148
1862, Aug. 27. Carpenters' work, &c	2,623
	4,447

The committee desire to ascertain whether the last-mentioned sum of $2,623 41 was paid for work done on or about the 27th of August, or for work done on or about May 30, when the previous repairs were made on said steamer, there being nothing in Colonel Belger's report to show, with certainty, whether the dates refer to the time when the repairs were done and completed, or to the time when the money was paid for the same. Will you please inform the committee whether there is any record in the War Department to elucidate this point?

* * * * * * * * * *

Very respectfully, your obedient servant,

JAMES W. GRIMES,
Chairman, &c.

Hon. P. H. WATSON,
Assistant Secretary of War.

On the 9th instant the Assistant Secretary of War, by direction of the Secretary, transmitted to the committee the following letter from Colonel Belger:

QUARTERMASTER'S OFFICE,
Baltimore, February 7, 1863.

SIR: I have the honor to acknowledge the receipt of your letter, dated February 6, 1863, enclosing copy of a portion of a letter from Senator Grimes, relative to the repairs made upon the steamer "Metamora," and, in reply, to state that the date, August 27, 1862, which was placed opposite the amount for carpenters' work, &c., $2,623 41, on this steamer, was the date of the payment of the account. The proper date should be May 31, 1862.

Enclosed I hand you the order for the repairs of said steamer, received from the Hon. John Tucker, then Assistant Secretary of War.

Very respectfully, your obedient servant,

JAS. BELGER,
Colonel and Quartermaster.

Hon. E. M. STANTON,
Secretary of War, Washington, D. C.

[Enclosure]

ASSISTANT QUARTERMASTER'S OFFICE,
Department of Virginia, Fort Monroe, May 16, 1862.

DEAR SIR: The steamer "Metamora" was called upon to perform some extra hazardous service, in doing which she sprung her guards and otherwise strained herself. She will be sent to Baltimore, in a day or two, for some repairs of her hull, rendered necessary by this service. It is the opinion of all the officers here who know the circumstances (in which I concur) that the cost of these repairs should be borne by the government.

You will please have her repaired *as soon as possible*, and returned here, as she is most useful.

Yours, respectfully,

JOHN TUCKER,
Assistant Secretary of War.

Major J. BELGER,
Assistant Quartermaster, Baltimore.

It thus appears that the August expenditure of $2,623 41 was really a part of the repairs of May 29, 30, and 31, when, as Mr. Tucker alleges, she "sprung her guards, and otherwise strained herself."

The committee leave to Colonel Belger the task of explaining the discrepancy between his two reports.

The table of vessels repaired at Baltimore under direction of Colonel James Belger, in which it appears that $176,768 97 of the public money has been expended, (p. 325,) presents a fruitful field for inquiry, which the committee regret that they have not had time to explore.

Another ship-broker appears on the stage in connexion with this vessel. This person is James B. Danforth, of New York city. He seems to have a very shadowy existence, very few people in New York knowing either the man, his habitation, or his business. The committee cannot discover that before this war he has had any connexion with the shipping business, though it would appear that he has received, if he is not still receiving, commissions upon the steamers Brooks and Kent.

The services rendered by Danforth to the owners of the Metamora, according to Baker, were, "getting the boat employed, or rather it was taking care of her, keeping her in the government employ. She had something like six or seven thousand dollars' worth of repairs put on her at Baltimore, and it was for favors shown to the boat. That is what they (the other owners) told me."—(Page 63.) What influence Mr. Danforth may really have exerted upon Captain Loper, who recommended, or upon Mr. Tucker, who chartered, the Metamora, and afterwards directed her to be repaired at the government expense, the committee are left to conjecture; but it is shown by the testimony of both Baker and Acker that the owners, who must be presumed to be the best judges of the value of his services in this regard, paid him $3,100 for them. Danforth demanded of the owners $5,000. Some of them were willing to pay that amount, and some objected, all agreeing, however, that something was due to him, till at length the amount before named was settled upon as a compromise. The testimony abundantly shows that the Metamora was chartered at an exorbitant rate, as would seem to be the case with all the vessels with which Danforth was in any way connected, or of which Captain Powers, of Hudson, New York, was part owner or agent.

THE STEAMER GEORGE WASHINGTON, *alias* CONSTITUTION.

The committee call attention to the testimony of Cornelius Wendell (p. 359) and the letter of General M. C. Meigs, United States army, in relation to the case of this steamer, (p. 294.) The transactions in connexion with her demand minute investigation by the War Department.

COLONEL JAMES BELGER, QUARTERMASTER.

Colonel James Belger is the quartermaster at Baltimore. Mr. Hall shows, in the list rendered to the War Department, that he has "chartered for Colonel James Belger," between April 8 and September 6, 1862, 53 schooners, 53 barges, 2 brigs, 1 sloop, and 1 bark—in all 110 vessels. It has been shown by the testimony of Applegarth and Rhoads that Belger knew all about Hall's five per

nt. commissions as early as January or February, 1862—at least one onth before any of these charters were effected. Applegarth tried charter his vessels directly to Belger, saying that the five per cent. uld thus be saved to the government; but Belger told him he must to Hall. Rhoads tried to charter directly to Belger, and he, too, as driven to Hall. The committee are not precisely informed whether lger first became acquainted with Hall through Mr. John Tucker or herwise. Tucker directed Belger, by a letter dated Baltimore, April , 1862, printed in connexion with the latter's testimony, (p. 59,) to do the needful" in respect of a large number of Hall's charters for ssels to transport engines and cars; by which it is obvious he meant direct him to sign the charter-parties on behalf of the government. olonel Belger so understood it, and acted accordingly. It would em that this order of Tucker's was intended to cover the list of ssels, 72 in number, furnished to the committee by Hall under the ption "List of vessels chartered to transport locomotives, cars, railad iron, &c.," and did not apply to the 110 vessels chartered by all to Belger. Practically, it is of no consequence whether Hall and elger were brought together by Tucker or not. Belger admits that e knew Hall was receiving five per cent. commissions on his charers. He knew that Hall was fixing his own compensation on all the arters he effected for the government. Yet he employed him to arter 110 vessels, (according to Hall's list,) and allowed him in this ay to defraud the government of at least $7,400 76; for Hall says at was the amount of commissions he received on the vessels chartered for Colonel Belger." The following quotation from olonel Belger's testimony (page 32) is to the point:

"Question. Then your charters which were made independent of r. Tucker, were also made through Mr. Hall, as well as those made nder the direction of Mr. Tucker?

"Answer. Yes, sir; I don't know anything about Mr. Tucker; but henever I wanted a vessel of Mr. Hall, I would say to him, 'I ant such a vessel, and I don't want to go into the market for it. ou go and pick me out such a vessel and charter it at the lowest ate.'"

Several witnesses testify that it was generally understood among ip-owners in Baltimore that no charters could be effected at Colel Belger's office, except through Hall; and Andrew Gray testifies at the orders issued by Colonel Belger to the vessels, after they ere chartered, frequently came through Hall. Colonel Belger furished the committee a report of vessels chartered and employed by imself, as quartermaster of the United States army, at Baltimore, aryland, from April 27, 1861, to January 23, 1863. General M. C. eigs, quartermaster general, United States army, also furnished the ommittee a list of vessels chartered by the quartermaster's department at Baltimore, Maryland, since July 1, 1861, by Colonel James elger, quartermaster. General Meigs's list must have been made from Colonel Belger's returns on file in the quartermaster general's fice; yet there is a striking difference between the two lists, in the mes of the persons from whom the charters were effected. The

schooner Daniel Brown (March 15) appears on Colonel Belger's list as chartered of Pratt & Brother; in General Meigs's list it appears as chartered of A. C. Hall. The Mary Brewer, (March 21,) in Belger's list, is chartered of J. B. Wood; in General Meigs's list, of A. C. Hall. The schooners J. H. Day, J. H. Burnett, Algomar, Vincent Barkalew, Lucy Church, Benjamin L. Berry, Lucy, W. Alexander, L. W. Birdsall, Young America, Baltimore, Luther Child, and Mountain Avenue, appear on Colonel Belger's list as having been chartered of various private individuals; all these vessels appear in General Meigs's list as having been chartered, on the same days, of A. C. Hall. General Meigs states that his list was made up from the original charter-parties on file in the quartermaster general's office; it is therefore the correct one; and the committee are unable to conjecture why Colonel Belger's list should differ in this respect from that of the quartermaster general, unless he desired and expected, by these alterations, to hide the magnitude of his transactions with Hall. Upon what principles Colonel Belger presents to the committee a list of names different from those attached to the charter-parties, and calls them the persons from whom the vessels were chartered *by him*, he should be required to answer before another tribunal.

MR. JOHN TUCKER.

All the foregoing facts and testimony force the committee to the conclusion that Mr. John Tucker, late Assistant Secretary of War, had more or less connexion with these gigantic and shameless frauds on the government. Tucker was the only person in the government employ who had enjoyed a long acquaintance with Pickrell. Tucker selected Loper to "examine and recommend," and Loper brought in his old acquaintance, of forty-two years standing, Amasa C. Hall. Danforth, also, is one of Tucker's familiars, and, according to Acker, charged commissions for introducing ship-owners and agents to him. Tucker chartered all, or nearly all, the vessels for the Burnside expedition, the McClellan expedition to the Peninsula, the McClellan expedition from the Peninsula, and for various other enterprises. The testimony of Captain Henry C. Hodges, assistant quartermaster, who signed the charter-parties for the McClellan expedition, brought to the notice of the committee a letter from General M. C. Meigs, quartermaster general, (page 227,) dated February 19, 1862, directing Captain Hodges to charter vessels under the advice and direction of Mr. John Tucker, employing the following language at the conclusion thereof:

"The instructions of Assistant Secretary of War, Mr. Tucker, in this business, will be obeyed and respected as though from the quartermaster general." The committee accordingly addressed a letter to General Meigs, of which the following is a copy:

SELECT COMMITTEE ROOM, UNITED STATES SENATE,
Washington, February 4, 1863.

DEAR SIR: I am directed by the select committee of the Senate, appointed in pursuance of the resolutions of the 22d and 23d December, 1862, to inquire why you directed Captain Hodges, assistant quartermaster, on the 19th of February, 1862, to charter vessels under the advice and direction of Mr. John Tucker, using the language: "The instructions of Assistant Secretary of War, Mr. Tucker, in this business, will be obeyed and respected as though from the quartermaster general." The spirit of this interrogatory, you will perceive, is to inquire by virtue of what law, regulation, or other reason the responsibility of the above-mentioned duty was taken from the quartermaster's department and lodged in the hands of Mr. Tucker.

I am, very respectfully, your obedient servant,

JAMES W. GRIMES, *Chairman.*

General M. C. MEIGS,
Quartermaster General, United States Army.

To which they received the following reply:

WASHINGTON, *February* 5, 1863.

SIR: In reply to the inquiry of your letter of the 4th instant, why I directed Captain Hodges, assistant quartermaster, on the 19th February, 1862, to charter vessels under the advice and direction of Mr. John Tucker, using the language: "The instructions of Assistant Secretary of War, Mr. Tucker, in this business, will be obeyed and respected as though from the quartermaster general"—which inquiry, your letter states, is intended to inquire by virtue of what law, regulation, or other reason the responsibility of the above-mentioned duty was taken from the quartermaster's department and lodged in the hands of Mr. Tucker—I have the honor to say—

That the instructions were written after an interview with the Secretary of War, in which he informed me that it was determined that the army of the Potomac should make a movement. The Secretary explained verbally his intentions in regard to providing the necessary vessels, and instructed me to send an officer with Mr. Tucker.

I wrote the order to Captain Hodges, the officer whom I selected for this purpose, in such form as I thought best calculated to carry out the instructions received verbally from the Secretary.

As regards the authority for such an instruction, the Secretary of War, as I understand the relative positions of the several officers of the departments, represents the President—the commander-in-chief; and until proved otherwise, his acts are to be deemed and taken to be the acts of the President. He has, therefore, authority over the quartermaster general, and over his subordinates.

The duties of the Assistant Secretary of War are not, perhaps, as yet very clearly defined, but I understand that he is to perform such duties and exercise such powers as may from time to time be delegated to him or imposed upon him by the Secretary of War; and in this particular case he represented, as I understand, the Secretary himself. As the superior officer, thus representing the Secretary, he would have authority, necessarily, over an assistant quartermaster detailed to assist him; and as nothing is so injurious to military operations as doubt or division as to authority, I carefully framed my instructions so as to prevent any danger of misunderstanding.

There are some specific duties assigned by specific laws to the Secretary of War, and others to the quartermaster general. But these are generally understood to be intended to be performed with regard to the general subordination of the Secretary to the President, and of the quartermaster general to both.

I should add that, in my opinion, neither Secretary, President, nor any other officer can legally compel a subordinate officer to obey any illegal order.

The obligation of obedience is obedience to the lawful orders of a superior in the military as in the civil service.

The right of judging of the lawfulness of orders involves the duty of doing so.

In military organizations the responsibility of disobedience on plea of unlawfulness is very great, but so is the responsibility of obedience.

The Supreme Court has decided that a military officer cannot justify himself for committing an unlawful act by pleading the command of his superior officer.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster General.

Hon. J. W. GRIMES,
Chairman Select Committee, United States Senate.

There was nothing in Mr. Tucker's antecedents to qualify him for the business of procuring vessels for the War Department, and nothing in his official position pointing to the duty of superseding the quartermaster general, or any of his assistants, in this important branch of the public service. Mr. Tucker testifies that he received his first appointment as transport agent from the late Secretary of War, Mr. Cameron. He says also, (page 223:) "When a change was made in the head of the War Department, about one year ago, the present Secretary of War asked me to act as assistant, to which I reluctantly assented, and have so continued to act until the 21st instant, when the office terminated."

CONCLUSIONS.

The ground covered by this report includes only a small portion of the duty assigned to the committee by the resolution of December 23. As previously stated, the time was too short to afford more than a beginning—an outline—of the work, which should be undertaken at once by a competent military commission, and prosecuted through all the channels of the transport service from the 20th of April, 1861, to the present time. The committee are overwhelmed with astonishment and sorrow by the revelations which have been made; but they believe that nothing which so intimately concerns a free people should be concealed from them, and they hope that this investigation may lead to a more honest and economical administration of the department of the public service to which their attention has been directed.

The conclusions reached by the committee, from the whole examination in which they have been engaged, are—

First. That vessels to be employed by the government should always be secured through the regular and legitimate channels, upon offers to be made by the owners or agents of such vessels, in answer to public advertisements.

Second. That the practice of employing an agent to charter vessels, with unlimited power to fix the rate of charter, to determine the

character of the vessels to be employed, with the apparent attempt to fasten the whole responsibility for such transactions upon another party, or upon another department, as in the case of employing John Tucker, with Captain Hodges, United States army, to charter vessels for the McClellan expedition—the former to inspect and charter, and the latter merely to sign the contracts that they might have the official sanction of the quartermaster's department—can be justified neither upon principle nor by its results.

Third. All vessels should be thoroughly inspected, at the time of purchase or charter by the government, by competent experts in their professions, who shall be directly responsible to the military branch of the government; and it is no apology for the want of such thorough examination to say that the vessels had at some time during the preceding twelve months been inspected by the agents of the Treasury Department.

Fourth. That the monopoly of chartering vessels by Hall, Loper, and others, even were it known that their transactions were honest, cannot be justified; and the officers who knew that Hall, Loper, and others were extorting commissions from the owners and agents of vessels, and permitted such monopoly to continue, deserve the severest censure.

Fifth. The committee are satisfied that the late Assistant Secretary of War, John Tucker, and Colonel James Belger, United States army, knew of Hall's transactions, and, knowing them, permitted his monopoly and illegal practices to continue.

Sixth. That the practice of allowing any person to act, at the same time, in the double capacity of broker of ship-owners and agent of the government to select vessels—in both of which characters Hall did act according to the testimony of Colonel Belger—is wholly indefensible.

Seventh. That the commissions received by Hall, Loper, Danforth, and others, which are estimated by the committee to amount, in the aggregate, to several hundred thousand dollars, rightfully belong to the government, and immediate steps should be taken by the War Department to ascertain the amount due from each, and to secure the money.

Eighth. That many of the charters effected by, through, or under the agency of Hall, Loper, and others, were secured at exorbitant prices, and are otherwise tainted with fraud. All such charters should be at once annulled, and steps taken to restore to the treasury the sums thus extorted or fraudulently obtained.

Ninth. That all the charters with Charles Coblens were exorbitant in price, and were tainted with fraud; that both Coblens and Pickrell should be made to disgorge their ill-gotten gains, and the charters should be annulled.

Tenth. That no money should be paid upon charters with Coblens, Hall, Loper, etc., upon vessels owned in whole or in part by them, until the amounts honestly and equitably due to the government, growing out of their transactions, shall be ascertained and paid.

Eleventh. That the facts heretofore recited concerning Colonel

James Belger are sufficiently grave to warrant their being examined by a military court.

Twelfth. That the sums of money obtained by James B. Danforth, of New York, from the owners of the steamer Metamora, and from the owners of other vessels, were obtained in violation of law, and against public policy, and that steps should be taken to cause it to be paid into the treasury.

Thirteenth. The War Department can only restore confidence in its transactions in connexion with army transportation, by inflexibly adhering to the rule, that contracts shall only be made with the owners of vessels, or with their immediate, legitimate, established agents, and that every officer who shall be shown to be influenced in the slightest degree in awarding a charter by fear, favor, affection, or the hope of reward, or who shall ever give reasonable ground for suspicion of the honesty of his conduct, shall be summarily punished, if guilty.

Fourteenth. The cases of perjury shown in the testimony taken by this committee should become subjects of judicial investigation.

TESTIMONY

TAKEN BEFORE

THE SELECT COMMITTEE

APPOINTED

By virtue of a resolution of the Senate of the United States adopted December 22, 1862, *and also a resolution adopted December* 23, 1862, *to inquire into the manner of the employment of transport vessels for the army of the United States.*

WASHINGTON, *Friday, December* 26, 1862.

JAMES BELGER, being duly sworn, testified as follows:

Examined by the chairman.

Question. State, if you please, your name, age, and occupation.

Answer. I am a colonel in the army of the United States. My age is forty-three years, if I recollect aright. My occupation now is quartermaster at Baltimore.

Question. How long have you been stationed at Baltimore?

Answer. I was sent there on the 20th day of May, 1861.

Question. What has been the character of your business?

Answer. Furnishing supplies, sir, of every kind for the government, from almost the mouth of the Mississippi to Fairfax Court-House. The business of my office is immense. They call upon me for almost every sort of thing and from almost everywhere. My business at Baltimore is to furnish army supplies generally.

Question. Has it been a part of your business to furnish transports to the army?

Answer. Yes, sir.

Question. Did you furnish any transports for what is known as the Banks expedition?

Answer. No, sir; I think not.

Question. Did you charter any vessels for Burnside's expedition?

Answer. No, sir; I do not remember that I did. If I did, it was by order of Mr. Tucker, the Assistant Secretary of War. I do not recollect now that I did, sir? I may have taken up vessels and chartered them by his direction, when it was so stated in the order.

Question. Such vessels as you did charter were chartered at his instance?

Answer. Yes, sir; in every instance by his direction or that of the quartermaster general.

Question. Did either of them specify to you the vessels you were to charter, or the persons of whom you were to charter them?

Answer. No, sir; they specified the vessel, or they would describe the kind of a vessel or vessels required, and I would find out such vessels, if in that port, and then charter them, but first telegraph the prices, &c.

Question. Did they, or either of them, direct you as to the persons of whom you should charter vessels?

Answer. I don't remember that they did.

Question. Did Mr. Tucker ever tell you that you must confine your charters to a man named A. C. Hall?

Answer. No, sir. If you will allow me, I will here add a word of explanation. A great many vessels were taken up for the Burnside expedition. Mr. Hall was written to to take up the vessels. I then thought that it was a little strange that he should not have written to me. The quartermaster—

Question, (interposing.) By whom was he written to?

Answer. He was written to by Mr. Tucker. I was going on to say, the quartermaster general wrote to me to know how it happened that there were so many vessels chartered in the name of A. C. Hall; he said he thought it looked like a monopoly. I did not know anything about it further than that Mr. Hall brought these contracts to me, with instructions from Mr. Tucker, to sign, in order to make them complete instruments. He had already chartered the vessels himself by direction of Mr. Tucker. His explanation of the matter to me, when I called upon him, was this: for instance, they wanted a vessel taken up hurriedly, as rapidly as possible, and he had these charters made up and signed by him as a matter of convenience, to further the interests of the government in getting vessels off rapidly.

Question. Then Mr. Hall was virtually the agent of Mr. Tucker, and you were only used to give official character to the transaction?

Answer. Yes, sir; that is my understanding and that was his explanation. I called upon him and told him, "General Meigs says it looks like a monopoly." He explained it in that way. Mr. Hall came up here to Washington, and he and Mr. Tucker went over to the office of the quartermaster general, and it was all explained, and I heard no more about it.

Question. Did you charter any vessels for the Port Royal or DuPont expedition?

Answer. No, sir; I do not remember that I did now.

Question. How many vessels do you think you have chartered for the government?

Answer. Well, I have chartered on my own account very few; but

for the government service I have chartered a good many barges and schooners. I chartered a hundred barges, the other day, for this Fredericksburg expedition.

Question. How many vessels in all have been chartered by A. C. Hall?

Answer. A great many, sir. I could not now answer that question fully. He chartered a good many vessels to take off the pontoon train; and on railroads I have sent off a great many cars, engines, &c., from Baltimore to Yorktown; and I have sent some vessels off recently with engines to Newbern.

Question. Were the rates at which Hall chartered the vessels determined by you or him?

Answer. I had nothing to do with that. I just signed those he presented to me to perfect the instruments—to give them official character. I don't know anything about it. I have here a list of vessels that I have chartered myself; these I had my own man to inspect. A great many of the barges that had been chartered had turned out to be not good barges. I ordered him to give these a very thorough examination; and I have had some experience in that way.

Question. Is Mr. Hall a ship-owner or a ship-broker?

A. He is acting as ship-broker. He does not own any at all, I understand. He told me the only interest he had in the vessels was, they paid him so much for his services. It seemed to be a sort of business concern.

Question. What did he receive?

Answer. I think he told me he received five per cent. on the vessels he chartered.

Question. Was that five per cent. paid by the party with whom the charter was made?

Answer. Yes, sir. Mr. Hall would always have to come to my office to get me to sign the account, and the check was drawn always in his name; or, rather, the certificate of indebtedness, whatever it was. I wanted to have these things transferred, and I said to him, "This is a business of your own; but I have been written to by the quartermaster general about this. All I know is what I was ordered to do." He filled up the charter-party. As agent of the government, I was the other party to the charter-party.

Question. Did he also act as the agent of others than these ship-brokers?

Answer. I don't know anything about it.

Question. Do you know a man named Heslen?

Answer. I think I know a man named Heslen, a ship-broker.

Question. Do you know of his chartering vessels to Mr. Hall?

Answer. No, sir.

Question. Do you know of his applying to you to charter vessels, and your telling him he must go to Hall?

Answer. No, sir; that is not so. Always, when I have been directed to charter a vessel or vessels, they have been named; except that now and then I have been ordered to send off transports, and then I would send for Mr. Hall to come to me; but I never referred any one to him, except where the charters were signed and made by

Captain Hodges, in New York. They would come to me to know where they would get their pay.

Question. Do you know of Hall receiving seven and a half per cent. commission for the Burnside expedition vessels?

Answer. No, sir.

Question. In cases where you were not acting under instructions from Mr. Tucker, but it was open for you to act upon your own judgment, did you charter vessels of other persons as well as Hall?

Answer. I was a stranger there, and used to send to Mr. Hall to get the vessels for me, and I confined him to the lowest rate always. He assisted me very much. He has been a very useful man.

Question. Then your charters, which were made independent of Mr. Tucker, were also made through Mr. Hall as well as those made under the direction of Mr. Tucker?

Answer. Yes, sir. I don't know anything about Mr. Tucker; but whenever I wanted a vessel of Mr. Hall I would say to him, "I want such a vessel, and I don't want to go into the market for it. You go and pick me out such a vessel, and charter it at the lowest rate."

Question. Did you charter a vessel of anybody else except Hall?

Answer. Oh! yes, sir.

Question. Of whom?

Answer. Well, the captains themselves whenever I could find them.

Question. Can you name them?

Answer. No, sir; not now.

Question. Can you name the vessels?

Answer. No, sir; not at this moment; but I have here a list of 100 barges.

Question. Can you name any steamers and tugs?

Answer. Yes, sir. There is the Columbia. I chartered her from the owners. Mr. Worthington, an old citizen of Baltimore, was the agent; the president of the company lives at Washington. Also, the Pocahontas; I chartered her from the owners. The cases where I chartered of Mr. Hall were, where I wanted a vessel, say to take a load of cattle, or coal, or something of the kind, to Fort Monroe. Latterly, I have done without him, as I have a very good man there, Captain Masters, that I have known always; he is in my employ.

Question. You don't act through Mr. Hall?

Answer. No, sir; Mr. Hall assisted. I charter direct when I can find the captains. Sometimes the captains go off and do not leave authority with their mates, and Mr. Hall goes and gets them.

Question. Did you charter the steamer Patapsco?

Answer. I think I did.

Question. At what price?

Answer. I forget the price now. The record is at the Quartermaster General's office.

Question. Did you know, at the time she was chartered, anything of her value?

Answer. No, sir. She was chartered for a special purpose. She was a small vessel. I am not so certain now about having chartered the Patapsco. These vessels all came to me from Fort Monroe, and Washington, and Newbern, and wherever I supplied—I don't remem-

now. I have chartered comparatively few steamers, but a great ıy barges and schooners, and always referred to Washington for authority. This steamer Patapsco is a tug. She was not em-ɣed there. I think I have certified to her service, but I don't ember that I have ever paid her anything. I think she was char-d by Captain Hodges, of New York, but I cannot answer that stion as fully as I would like to.

ɟuestion Do you know the tug Haswell?

ınswer. Yes, sir; she is in my employ now. She was reported to a day or two ago as not fit for service in the Baltimore harbor, and nt for Mr. Huggins yesterday, to get his boat, the tug Mary.

ɟuestion. Of whom was she chartered?

ınswer. I think, of Mr. Hall or Mr. Coblens; I think he owns the t, or has something to do with it. I sent her off with some barges ow some time ago, and she broke down. I have not had her for ıe time.

ɟuestion. Did you charter the tug Fairy Queen?

ınswer. Yes, sir; I think so.

ɟuestion. Of whom?

ınswer. I am not so certain, now, about the Fairy Queen. It is opinion she was chartered by Captain Hodges, of New York.

ɟuestion. You think the Patapsco, Fairy Queen, and Haswell were chartered by Captain Hodges?

ınswer. Yes, sir; I have a good deal of tugging about the harbor lo there, and I chartered one of Mr. Huggins yesterday—Christmas.

ɟuestion. Do you know of either of these boats being used for towing vate boats while they were in government employ?

ınswer. No, sir; it would be worth a man's head to interfere with in that way. They don't take any such liberties with me.

ɟuestion. Do you know anything of the steamboat Baltimore?

ınswer. Yes, sir.

ɟuestion. Did you charter her?

ınswer. No, sir.

ɟuestion. Do you know of whom she was chartered?

ınswer. She was chartered, I think, of Mr. Coblens.

ɟuestion. By whom?

ınswer. By Captain Hodges, I think, and by direction of Mr. cker. I thought of looking into that thing to-day.

ɟuestion. Do you know anything of the tug-boat Edwin Forrest?

ınswer. I have heard of such a boat; I don't think she has been Baltimore for some time.

ɟuestion. Was she chartered there?

Answer. Yes, sir; I think she was chartered there.

Question. By Mr. Tucker's direction?

Answer. I think it was the same way; I think she was chartered the Burnside expedition.

Question. By Mr. Hall?

Answer. Yes, sir; or by Captain Hodges. Mr. Hall acted as the ɟent of Captain Hodges.

Question. Do you know of the tug-boat Lioness?

Answer. I had the tug-boat Lioness there for repairs at one time,

but not long. They have made a depot there for repairs for all these steamers. A great many of them take very extensive repairs.

Question. Do you know whether you chartered her or not?

Answer. I think she was chartered by Captain Hodges.

Question. Do you know the James Murray?

Answer. I have heard of that boat.

Question. Do you know of her being used at Baltimore, or having been chartered there?

Answer. No, sir; I don't remember enough about the boat. I know one thing: I have made the owners pay pretty roundly for the repairs. I believe it was estimated that I had saved the government $60,000; that is, that would have gone if I had not watched it.

Question. Do you know anything of the propeller Telegraph?

Answer. No, sir.

Question. You did not charter her?

Answer. No, sir. I chartered very few steamers comparatively.

Question Then, I understand that neither the Baltimore, the Haswell, the Edwin Forrest, the Lioness, the James Murray, nor the Telegraph was chartered by you?

Answer. No, sir; in respect to the Haswell, I think, perhaps, I did charter her for a short time; I can ascertain.

Question. Do you know anything of the barge Delaware?

Answer. Yes, sir; there was a barge Delaware.

Question. Did you charter her, or was she chartered by some other party?

Answer. She was chartered by some other party. She was there in Baltimore and was sent, I think, to Fort Monroe. I recollect the name, because the boat was wrecked, or something of the sort.

Question. Do you know a man named William Applegate?

Answer. Yes, sir; William Applegarth.

Question. Do you know of his applying to you to charter vessels?

Answer. Yes, sir.

Question. Did you tell him that Hall was the only party through whom you could act?

Answer. No, sir. I chartered some through Mr. Applegarth myself. They were schooners. You see, I sent a great deal of lumber, &c., from there.

Question. Can you give their names?

Answer. I do not remember them.

Question. Do you know of his having to pay Hall five per cent. on them?

Answer. No, sir; but I have no doubt it is so, because Mr. Hall told me that they all paid him five per cent., and I know of no distinction being made in his favor.

Question. Do you understand Mr. Hall to say that he charged all these parties five per cent.?

Answer. I understand so from him and from his testimony here.

Question. Do you understand that it was five per cent. on all received during the continuance of the charter-party?

Answer. That was the impression made upon me. He told me himself that he had testified to that before a committee of some sort;

but I never sent a man to Mr. Hall to charter vessels where I could charter them myself. I went there a stranger, and Mr. Tucker expressed such confidence in him, giving him these charters to make up, and he having acted for Captain Hodges in New York, I thought he was the very man for me to employ. Captain Hodges was the quartermaster at New York for that duty.

Question. Were vessels allowed to remain at the government shipyard that were unchartered a long time after they were repaired?

Answer. No, sir; I am the greatest terror of all these ship men. I will not allow them to lie there a minute beyond the proper time. I deduct every moment that they are delayed. I take off everything except for wear and tear.

Question. You say you do not know of Mr. Hall receiving pay for towing private vessels while the tugs were in the employ of the government?

Answer. No, sir; if he has, I hope that they will send him to the worst prison in America.

Question. Did you charter any vessels of John R. Rhoads?

Answer. No, sir; that name was sent to me the other day by General Meigs.

Question. Do you know of his chartering vessels to Hall?

Answer. No, sir.

Question. Do you know such a vessel as the H. E. Browne?

Answer. I have heard of such a vessel, but I do not know her.

Question Did you charter her?

Answer. No, sir; I don't think I did. The vessels chartered by me were comparatively few, as compared with what I have signed.

Question. Did John R. Rhoads apply to you to charter vessels?

Answer. I don't remember that he did. I don't remember him at all; but his name was sent to me the other day by the quartermaster general.

Question. Do you know a man named John Rose?

Answer. No, sir.

Question. Did you ever charter any vessels of him?

Answer. No, sir.

Question. Do you know of Hall's ever chartering any of him?

Answer. Well, Mr. Hall may have done so, because he brought all these vessels to me as I have said; I did not know any thing about the owners or their names. All these charters are signed by Mr. Hall, and I have had a great many vessels in my employ where I did not know the names of the owners. I did not know Mr. Rose at all.

Question. Do you know a man named Andrew Gray, or Gregg?

Answer. No, sir; I guess there is a man there named Gregg; I know him very slightly; I think he has something to do with shipping. I don't know Mr. Gray.

Question. You never chartered any boats of Mr. Gray?

Answer. No, sir.

Question. Do you know of any boats being chartered by him to government?

Answer. No, sir; I don't know of any boats of his being employed by government.

Question. (By Mr. Kennedy.) Do you know of any ship man b name of Andrew Gray?

Answer. No, sir.

Question. (By the chairman.) Why did Mr. Tucker confine charter-parties exclusively to Mr. Hall?

Answer. Well, as I was a subordinate, I did not ask any quest

Question. Could not these vessels have been chartered, so have saved to the government this five per cent. commission?

Answer. Well, I think all my charters compare well with ot I have the reputation of having chartered these steamers very lo know that, as to the Columbia, I had her in service for $3,000 a m

Question. Your charters are without commission?

Answer. Yes, sir.

Question. And your charters are lower than the others, wher commission was paid?

Answer. I would like to explain. For instance, I had the Co bia chartered at $100 a day, and she coaled herself; but when sh chartered for this expedition she was chartered at $350 a day rigl for the same service. I had used her on one trip in case of emerg

Question. Who chartered her for that expedition?

Answer. Mr. Hall chartered her to Captain Hodges; but I wil that the demand might then have been much greater. It would that explanation. But my record shows that I chartered he $3,000 a month. At the time of this expedition a telegram came the Secretary of War to Mr. Hall to pick up all the vessels he c That made them go right up in their price, but I had had that in service at $100 a day, and there is a contention in regard to thing between the president of the company and myself. He sa wanted me to make out an account differently. I paid him all the charter called for.

Question. I understand, then, that you had the Columbia char at $100 a day?

Answer. Yes, sir; $3,000 a month, and she coaled herself.

Question. And she was afterwards, she being in the same condi chartered by Hall, at the instance of Mr. Tucker, at $350 a da

Answer. Yes, sir, I think that is it; but I would like to say the demand for steamers was then much greater.

Question. Without her coaling herself?

Answer. I don't know what her charter was in that respec could get steamers there at very low charters before the Burnsid pedition.

Question. Has any clerk in your office, to your knowledge, be ceiving compensation—commissions or presents—from any parties were transacting business in your office?

Answer. Not to my knowledge. My instructions to my clerl that subject have always been strict, and if there ever was a taken, or a report was brought to me of anything of the kind, the man who received such a present should be immediately dismi I have always given them cautions, and threatened them on that ject. My clerks are kept pretty strict. They have got two or of them over here now. I would say, also, in continuation of thi

swer, that when the detectives came into my office I asked the question and told them to ask every one of my men. I said, "I don't know what you are being taken away for; but what have been my instructions to you and my orders in case any clerk in my office should act improperly?" The reply was, "An unqualified dismissal." I said, "Now you are going to Washington. If there is anything against me or my affairs, I want you should testify readily against me." I always hold my clerks in that way. I never let a man think I am dependent on him in the least for his services. I hold that to be a sound military rule. I never have a clerk to think that I am dependent on him, and I think if there were less of that in the army it would be better. I understand, since I have been over here, that one or two have received presents. If it is so, I hope they will be punished to the extent of the law.

Question. When did you last see Mr. Tucker?

Answer. I have not seen Mr. Tucker for six or seven months. I just saw him a moment passing my office on the way to Philadelphia.

Question. When did you see Mr. Hall last?

Answer. I see Mr. Hall almost every day. I saw him yesterday morning. He is in Baltimore.

Question. How long has he resided in Baltimore?

Answer. I don't know—a great many years. His name is A. C. Hall. He is a large man.

Question. Do you know of any case where Hall received more than five per cent.?

Answer. No, sir; I did not know that until he told me so himself. He admitted it to me. He said that that was his testimony.

Question. He admitted to you that he received five per cent., not only on all the vessels he himself chartered, but all that were chartered at Baltimore by the government through the agency of any one else?

Answer. That is what I heard him say. Whether it applied to both or not, I cannot say; or whether it applied only to those chartered by me. They were comparatively few.

Question. What proportion of the vessels were chartered at your instance?

Answer. I think they were remarkably few, sir, of those that were chartered.

Question. One in twenty, or one in forty?

Answer. I should think at least one-twentieth. I don't think there was more than one-twentieth.

Question. Were all the balance, the nineteen-twentieths, chartered by Mr. Hall?

Answer. No, sir; not where I could find the owners.

Question. You say you only chartered one-twentieth. Who chartered the other nineteen-twentieths?

Answer. Mr. Hall, by the direction of Mr. Tucker. The number I have chartered myself is comparatively few. I have had the use of steamers that others have chartered.

Question. Then I understand from you that you had no control over Mr. Hall?

Answer. No, sir; he was not in my employ at all—except to pay him for his services.

Question. Did you know that Mr. Tucker was aware of the per cent. that Mr. Hall was receiving?

Answer. No, sir; I did not.

Question. Do you know that he was not aware of it?

Answer. I don't know anything about it. All I know about that matter is what Mr. Hall admitted to me, himself, the other day about his testimony.

Question. Has it not been a notorious fact in Baltimore, for months, that Hall was receiving five per cent.?

Answer. It was never brought to me until Mr. Hall told me. I know this: I never would pay Hall, without the captain of the vessel being present. I would sign the check, and then hand it to him. That was necessary from the fact of his signing these charter-parties. Where we pay certificates of indebtedness, I am required to take the name of the person to whom it is transferred; he is to take it in my presence. I have always paid these certificates in the presence of Mr. Hall, and the check was handed to him in the presence of the captain. He said that Mr. Tucker explained it all to General Meigs. All I had to say in my report was, I signed all these charters; and it was a great bore to me to sign so many papers.

Question. You have no knowledge of the charter of the Patapsco?

Answer. No, sir.

Question. Had you any knowledge of the tug herself, or where she was going?

Answer. She was in the employ of the government, and she was put on the ways for repairs. I have never seen the vessel. I don't know much about her. I don't think she is a vessel of any great capacity or power. That is my impression.

Question. Nor value?

Answer. No, sir; nor value. I know we have a great many vessels there; if they had taken the trouble I did to have them inspected they would not have been received; but I have made the owners pay pretty well for the repairs. They complained very much of my course, because I was so very rigid.

Question. (By Mr. Morrill.) In chartering transports, has the price been uniform? If it is not uniform, upon what does it depend?

Answer. Well, the price has been very uniform for all that I have chartered—every one. Take this list I have here, of the barges I chartered, and you will see. There are 99.

Question. Are they chartered by the ton?

Answer. No, sir; by the day.

Question. Does it depend on the capacity of the vessel?

Answer. Yes, sir; some are at $10; some at $12; according to the capacity of the barges.

Question. Here, for instance, is one of 200 tons at $12, and another of 60 tons at $10.

Answer. Well, the 200-ton barge is a very cheap charter.

Question. Are they uniform in price?

Answer. Yes, sir.

Question. Here is one of 200 tons at $12, and one of 130 tons at $10.

Answer. Yes, sir; that is the way they are registered; but this vessel of 130 tons will not carry more freight than some smaller vessels. That is the way they are registered—as the captain gave them to me.

Question. It seems to be almost invariably $10 or $12.

Answer. Yes, sir. They said charter them at once. They waited until just at the time when they wanted the barges. So, here the other day, they waited until they were out of coal, and then telegraphed for coal to be sent at once.

Question. What would be a fair price per ton per month for transport vessels?

Answer. Four dollars, I think, sir—four dollars per ton per month; I think that is my charter. That is the price fixed by the department, as I am informed by Mr. Hall.

Question. (By Mr. Kennedy.) Would not these charters vary with the demand for them at the time?

Answer. Oh! yes, sir; that produces the changes of price.I have chartered vessels at so much per ton per month; or if they are not required for a month I pay them at the rate of so much for the time.

Question. (By Mr. Morrill.) Are all these charter-parties paid through you?

Answer. Yes, sir; all that I chartered myself.

Question. And all that you chartered through Hall?

Answer. No, sir; you see, a great many of these charters by Mr. Hall were simply chartered by direction of Mr. Tucker, and were paid for by Captain Hodges and others. I only estimate for funds for those I charter myself; for instance, there are 100 barges in that list, and I estimate for the money to pay them.

Question. (By the chairman.) When Mr. Hall wanted to fill out a charter-party you were not consulted as to the capacity of the vessel or the price to be paid?

Answer. No, sir; except where I chartered myself.

Question. In nineteen out of twenty cases you knew nothing about the vessel—the capacity or value, or the price to be paid?

Answer. No, sir; he only brought me the letter of Mr. Tucker, the Assistant Secretary of War, that he wanted me to perfect those charters.

Question. (By Mr. Morrill.) Then, that being perfected, the chartering-party received his pay from the department?

Answer. From the quartermaster that these vessels were chartered by; by Captain Hodges, in many instances. In such cases as I had employed them I certified to the time.

Question. Did you say you paid Mr. Hall compensation?

Answer. No, sir; I did not pay him any compensation, but in paying checks out I drew the checks to Mr. Hall, because he signed the charter-party.

Question. Did he sign for the owner?

Answer No, sir; he signed A. C. Hall. He became a party to the charter. He was their agent. He has frequently advanced money

when I have been out of funds, for a few days. He has advanced money to these captains; he has told me that himself. The record shows that a very large amount of money has been paid to Mr. Hall, because the check was drawn to Mr. Hall, and the charter-party signed by Mr. Hall; but he told me that it was not his money at all, except the percentage that he drew for it.

Question. (By the chairman.) When you paid him this money in the presence of the captains, did he always take out his per cent.?

Answer. He just took the check, and they went off together. I never knew anything about his transactions.

Question. (By Mr. Morrill.) The check did not cover the per cent.?

Answer. No, sir; it was simply for the service. The check just covered the compensation for the vessel. Whatever was deducted for Mr. Hall by the captain I don't know anything about. The check covered the whole that was paid, and the captain came short five per cent., so I understand; so Mr. Hall admits himself.

Question. That is, the understanding was, Hall was to get his compensation for transacting this business for the government from the party who chartered the vessel.

Answer. Yes, sir; but that is a matter I didn't know anything about until within a few days. I always tell a man who wants to sell me a horse or charter a steamer to come to me himself. He has just as good a right to come to me as Mr. Hall has. I don't know the reason it was done in that way. I had asked Mr. Hall to look through the city or the harbor, to find a vessel, and wherever he could to bring me the owner of the vessel. You will see by these charges in this list that they they are all signed by the captains themselves. I did not like that way of doing where he signed. The quartermaster general said it looked like a monopoly. I said Mr. Hall could explain that himself. He came over here, and he and Mr. Tucker went over and explained it. They put that extra labor on me, when they ought to have attended to it themselves.

Question. (By the chairman.) I wish to be sure, colonel, that I understand you correctly. You had orders from Mr. Tucker to not control Mr. Hall in the charter of these vessels, but to allow him to charter what he pleased, and for you to give these charters your official sanction.

Answer. No, sir; you misunderstood me. I knew nothing of the instructions from Mr. Tucker at all. After the vessels were all chartered, and he brought it to me to sign, and complete the charter, I thought it very queer. Mr. Hall brought me a letter. The letter was addressed to Mr. Hall. I had nothing to do with it.

Question. Have you a copy of that letter?

Answer. No, sir; I don't think I have; but I can get it from Mr. Hall. He brought it to me. I thought it very queer. I have chartered vessels by direction of Mr. Tucker, and where I have changed the charter-party, (on one or two occasions I have increased the charter by direction of Mr. Tucker, writing it in red ink on the margin,) they have objected to it here. I called the attention of the department to it in that way.

Question. The purport of the letter presented to you by Mr. Hall,

and addressed to him by Mr. Tucker, was that he should charter t vessels and that you should sign the charter-party?

Answer. Yes, sir; the vessels were all chartered long before I kn anything about it. It came to me after everything was done.

Question. But that was the purport of the letter?

Answer. Yes, sir. That is my recollection of it.

Question. That letter I understand to be your voucher and authori for your action in signing these charter-parties?

Answer. Yes, sir. He showed me his authority, and I just sign the charter-party. I may be wrong, but that is my recollection of

As I did not know, when called before this committee, what qu tions would be asked me, I have therefore been unable to answer precisely and fully as if I had my record at hand.

The CHAIRMAN. We will recall you at a future day.

The WITNESS. I will then present to you an exact statement up such points as you desire.

JAS. BELGER,
Colonel and Quartermaster.

WASHINGTON, *January* 23, 1863.

Colonel JAMES BELGER, recalled, testified as follows:

Examined by the chairman.

Question. State, if you please, colonel, whether you have compl with the request of the committee, and compiled a list of the vess chartered at the port of Baltimore by you, as a quartermaster of t United States.

Answer. Yes, sir; I have, and I now present the following repo marked "A A A," which I make a part of my testimony in ans to your interrogatory.

A A A.

Report of vessels chartered and employed by Colonel James Belger, quartermaster, United States army, at Baltimore, Maryland, from April 27, 1861, *to January* 23, 1863.

Date of charter.	Name and description of vessel.	Ton'age.	From whom chartered.	By whom chartered.	Rate of pay.	When discharged.	For what purpose employed.
July 25, 1861	Pocahontas .....steamer.	.....	Powhatan Steamboat Comp'y.	Major Jas. Belger ..	$100 per day..	Sept. 5, 1861	Transportation of public stores.
July 19, 1861	Columbia.....do....	.....	Washington, Alexandria, and Georget'n Steam Packet Co.	.....do.....	100....do....	Aug. 18, 1861	Do. do.
Sept. 13, 1861	Pocahontas .....do....	.....	Powhatan Steamboat Comp'y.	.....do.....	225....do....	Sept. 15, 1861	Transportation of troops.
Nov. 4, 1861	Jersey Blue .....do....	.....	S. G. Chadsey, owner.....	.....do.....	200....do....	Nov. 8, 1861	Do. do.
Dec. 6, 1861	Jerome.....do ...	.....	James Jerome, owner.....	.....do.....	125 ...do....	Dec. 31, 1861	Transportation of troops and pub. stores.
Dec. 11, 1861	Pocahontas .....do....	.....	Powhatan Steamboat Comp'y.	.....do.....	450....do....	....do.....	Do. do.
Nov. 7, 1861	.....do. .....do....	.....	.....do.....	.....do.....	450....do....	Nov. 18, 1861	Transportation of troops.
Aug. 19, 1861	Columbia .....do....	.....	Washington, Alexandria, and Georget'n Steam Packet Co.	.....do.....	3,000 pr. month.	Dec. 6, 1861	Transportation of public stores.
Feb. 18, 1861	Portsmouth .....do....	.....	Baltimore and Susquehanna Steamboat Company.	.....do.....	200 per day..	Feb. 25, 1861	Transportation of troops.
April 18, 1862	Louisiana .....do ...	.....	J. Brant, jr	..... do.....	800....do...	In service ...	Transportation of McClellan's expedition.
July 1, 1862	Eureka... .....do....	.....	A. C. Hall, agent for owners..	Col. James Belger..	115....do....	Sept. 26, 1862	Do. do.
Dec. 11, 1862	Portsmouth .....do....	.....	Joseph J. Taylor, agent	..... .do.....	175....do....	In service ...	Transportation of public stores.
Dec. 11, 1862	Juniata .....do....	.....	.....do	.....do.....	175....do....	....do.....	Do. do.
Dec. 11, 1862	Columbia .....do....	.....	William Gunton, president...	.....do.....	350....do....	....do.....	Do. do.
April 27, 1861	America .....steam-tug.	364	J. R. Penrose, agent.....	Major Jas. Belger ..	300 & 250..do....	May 2, 1861	Do. do.
Dec. 19, 1861	Edwin Forrest..... do....	.....	A. C. Hall	.....do.....	35....do....	Jan. 23, 1862	Towing U. S. vessels on Potomac.
Mar. 7, 1862	Pilot ..... do....	.....	James Baker.....	.....do.....	50....do....	Unknown ...	Towing U. S. vessels.
Mar. 18, 1862	Joseph Baker . .. .do....	.....	A. C. Hall, agent for owners..	.....do.....	65....do....	Sept. 18, 1862	Towing U. S. vessels, &c.
Aug. 23, 1862	J. K. Kirkman.....do....	.....	S. C. Hall	Col. James Belger..	85....do....	Oct. 8, 1862	Transportation of public stores.
Aug. 23, 1862	Telegraph.....do....	127	Charles Coblens.....	.....do.....	125....do....	Unknown ...	Do. do.
Nov. 20, 1862	General S. Van Vliet...do....	.....	Lewis Stow	.....do.....	75....do....	In service ...	Do. do.
Nov. 20, 1862	Spy .....do....	.....	H. H. Brady	.....do.....	60....do....	....do.....	Do. do.
Nov. 21, 1862	Pacific .....do....	.....	Joseph J. Taylor, agent.....	.....do.....	70....do...	....do.....	Do. do.
Dec. 9, 1862	Kirkman.....do....	.....	S. C. Hall	.....do.....	75....do....	....do.....	Do. do.
Dec. 26, 1862	Mary .....do....	.....	A. L. Hoggins.....	.....do.....	40....do....	....do.....	Do. do.
Dec. 9, 1862	Ajax.....do....	83	John Henderson, jr.....	.....do.....	60....do....	Jan. 3, 1863	Towing vessels.
Dec. 9, 1862	Major Brewerton .....do....	.....	John D. Chapman...	.....do.....	40....do....	.....	Do.
Sept. 3, 1862	William .....bark...	236	Kelsey & Grey.....	.....do.....	944 pr. month.	Oct. 31, 1862	Transportation of public stores.
Mar. 25, 1862	Elisha Doane.....brig ...	187	George H. Loring.....	Major Jas. Belger ..	748....do....	June 18, 1862	Transportation of McClellan's expedition.
April 28, 1862	Aladdin .....do....	260	A. C. Hall, agent.....	.....do.....	1,040....do....	Oct. 1, 1862	Do. do.
Jan. 7, 1862	Horace E. Brown...schooner.	.....	John H. Adams, agent.....	.....do.....	40 per day..	April 9, 1862	Transportation of Burnside's expedition.
Jan. 10, 1862	R. C. Standard .....do....	.....	W. Applegarth & Son.....	.....do.....	6,000 pr. month.	April 23, 1862	Do. do.
Jan. 26, 1862	Frances.....do....	.....	Daniel Connell.....	.....do.....	892....do....	June 30, 1862	Transportation of public stores.
Jan. 11, 1862	Juniata Patten.. .....do ..	261	Elisha Parker	.....do.....	950....do....	April 10, 1862	Transportation of Burnside's expedition.
Feb. 6, 1862	William L. Montague..do ...	.....	M. A. Mitchell.....	.....do.....	800....do....	April 2, 1862	Do. do.
Feb. 15, 1862	Sarah L. Simmonds....do....	223	Lewis Gandy	.....do.....	892....do....	Lost at sea...	Do. do.
Feb. 17, 1862	Rodella Blew.....do....	.....	Kelsey & Grey.....	.....do.....	900....do....	May 17, 1862	Transportation of public stores.

Feb. 28, 1862	Robert Palmer	do		R. O. Welton, master	do	900	do	April 3, 1862	Transportation of Burnside's expedition.
Mar. 10, 1862	Susquehanna	do	77	W. Applegarth & Sons	do	300	do	May 6, 1862	Transportation of public stores.
Mar. 11, 1862	William Spear	do	97	do	do	388	do	May 14, 1862	Transportation of McClellan's expedition.
Mar. 15, 1862	Batavia	do	164	A. C. Hall, agent	do	615	do	Sept. 25, 1862	Transportation of public stores.
Mar. 15, 1862	White Cloud	do	153	Samuel Phillips & Co	do	600	do	May 21, 1862	Do. do.
Mar. 15, 1862	Louisa Reeves	do	163	John A. Jones	do	600	do	May 17, 1862	Transportation of McClellan's expedition.
Mar. 15, 1862	Mary Anna	do	137	A. C. Hall, agent	do	500	do	May 7, 1862	Do. do.
Mar. 15, 1862	Daniel Brown	do	294	Pratt & Bro	do	1,065	do	May 20, 1862	Do. do.
Mar. 15, 1862	S. E. Jones	do	198	Fountain Jones	do	750	do	May 27, 1862	Do. do.
Mar. 16, 1862	James Jones	do	247	A. C. Hall	do	950	do	Oct. 20, 1862	Do. do.
Mar. 17, 1862	Herschel	do	175	Jacob H. Birdsell	do	1,100	do	Sept. 16, 1862	Do. do.
Mar. 18, 1862	Free Wind	do	168	A. C. Hall, agent	do	672	do	May 24, 1862	Do. do.
Mar. 18, 1862	Ellen	do	212	do	do	795	do	April 17, 1862	Do. do.
Mar. 21, 1862	Minnehaha	do	141	John H. Young	do	520½	do	June 23, 1862	Do. do.
Mar. 21, 1862	Mary Brewer	do	115	J. B. Wood	do	460	do	Oct. 18, 1862	Do. do.
Mar. 21, 1862	Norman	do	220	B. Atwood, sr	do	880	do	May 20, 1862	Do. do.
Mar. 24, 1862	I. H. Day	do	253	Samuel Phillips & Co	do	916	do	In service	Do. do.
Mar. 24, 1862	J. H Burnet	do	190	Daniel Ireland	do	768	do	Oct. 8, 1862	Do. do.
Mar. 25, 1862	Algomar	do	125	William Hayes	do	500	do	May 26, 1862	Do. do.
Mar. 25, 1862	E. Nickerson	do	229	A. C. Hall, agent	do	916	do	June 23, 1862	Do. do.
Mar. 25, 1862	G. W. Glover	do	116	Winslow Thomas	do	464	do	June 4, 1862	Do. do.
Mar. 26, 1862	Vincent Barkalew	do	84	Bevan, Phillips & Co	do	336	do	July 2, 1862	Do. do.
Mar. 26, 1862	Davison	do	94	Charles Jackson	do	376	do	June 18, 1862	Do. do.
Mar. 26, 1862	Wm. H. Nailer	do	191	Seth C. Arey	do	764	do	May 17, 1862	Do. do.
Mar. 26, 1862	Lucy Church	do	204	Aldon H. Adams	do	816	do	Sept. 24, 1862	Do. do.
Mar. 27, 1862	Benjamin L. Berry	do	190	George B. Weaver	do	760	do	Sept. 15, 1862	Do. do.
Mar. 27, 1862	Richard A. Wood	do	208	J. B. Cranmer	do	1,100	do	In service	Do. do.
Mar. 27, 1862	George & Emily	do	130	A. C. Hall, agent	do	520	do	Sept. 15, 1862	Do. do.
Mar. 29, 1862	Lucy W. Alexander	do	145	E. K. Alexander	do	580	do	Oct. 18, 1862	Do. do.
Mar. 29, 1862	S. D. Hart	do	160	Isaac Wall	do	660	do	In service	Do. do.
April 8, 1862	Governor Burton	do	168	A. C. Hall, agent	do	1,072	do	do	Do. do.
April 11, 1862	Emma Jane	do	125	M. A. Mitchell	do	500	do	July 11, 1862	Do. do.
April 14, 1862	A. T. Rowland	do	216	A. C. Hall, agent	do	864	do	In service	Do. do.
April 14, 1862	Juniata Patten	do	261	Elisha Parker	do	1,044	do	Oct. 1, 1862	Do. do.
April 15, 1862	Louisiana	do	132	M. A. Mitchell	do	528	do	June 30, 1862	Do. do.
April 15, 1862	Mary Anna	do	125	Charles Haley	do	500	do	July 3, 1862	Do. do.
April 15, 1862	Chrysolide	do	145	A. C. Hall, agent	do	680	do	In service	Do. do.
April 16, 1862	East Newmarket	do	90	do	do	360	do	June 30, 1862	Do. do.
April 16, 1862	North Carolina	do	108	do	do	432	do	June 19, 1862	Do. do.
April 16, 1862	William Allen	do	365	do	do	1,462	do	In service	Do. do.
April 16, 1862	L. W. Birdsell	do	167	Nelson Soper	do	668	do	June 3, 1862	Do. do.
April 17, 1862	Amytis	do	106	A. C. Hall, agent	do	424	do	In service	Do. do.
April 17, 1862	Maria Elizabeth	do	245	S. C. Hall, agent	do	980	do	do	Do. do.
April 18, 1862	Samuel Colt	do	116	A. C. Hall, agent	do	664	do	June 30, 1862	Do. do.
April 18, 1862	Ella	do	112	C. H. Morton	do	795	do	Sept. 25, 1862	Do. do.
April 18, 1862	Buena Vista	do	231	A. C. Hall, agent	do	924	do	Sept. 13, 1862	Do. do.
April 22, 1862	F. W. Johnson	do	94	do	do	376	do	June 30, 1862	Do. do.
April 22, 1862	Kendrick Fish	do	171	do	do	680	do	Oct. 29, 1862	Do. do.
April 22, 1862	Clara Bell	do	124	do	do	496	do	Sept. 17, 1862	Do. do.
April 22, 1862	Julian Franklin	do	92	S. F. Jewett	do	368	do	Sept. 15, 1862	Do. do.
April 22, 1862	N. S. Wasson	do	103	A. C. Hall, agent	do	412	do	Oct. 18, 1862	Do. do.
April 22, 1862	Olivia Buxton	do	190	do	do	360	do	Sept. 24, 1862	Do. do.
April 23, 1862	Glandome	do	266	do	do	1,064	do	In service	Do. do.

AAA.—*Report of vessels chartered and employed by Colonel James Belger, quartermaster, &c.*—Continued.

Date of charter.	Name and description of vessel.	Ton'age.	From whom chartered.	By whom chartered.	Rate of pay.	When discharged.	For what purpose employed.
April 23, 1862	Ellen Merryman....schooner.	192	A. C. Hall, agent	Major Jas. Belger	$516 pr. month.	July 3, 1862	Transportation of McClellan's expedition.
April 23, 1862	A. H. Manchester.....do	129	Samuel Phillips & Co	do	1,092....do	Sept. 22, 1862	Do. do.
April 24, 1862	David C. Foster.....do	172	A. C. Hall, agent	do	508....do	Sept. 15, 1862	Do. do.
April 24, 1862	R. C. Stannard.....do	124	....do	do	496....do	May 30, 1862	Do. do.
April 25, 1862	Mary P. Hudson.....do	295	S. S. Hudson	do	1,180....do	In service	Do. do.
April 26, 1862	Malebar.....do	127	Mark Welch	do	580....do	....do	Do. do.
April 28, 1862	Bengal.....do	105	A. C. Hall, agent	do	412....do	Nov. 25, 1862	Do. do.
April 28, 1862	Carrie.....do	110	....do	do	440....do	June 2, 1862	Do. do.
April 28, 1862	J. H. Travis.....do	100	John H. Adams	do	400....do	June 18, 1862	Do. do.
April 28, 1862	James Garcelin.....do	85	A. C. Hall, agent	do	340....do	June 19, 1862	Do. do.
April 26, 1862	Bengal.....do	103	.....do	do	412....do	Jan. 18, 1863	Do. do.
April 29, 1862	Young America.....do	142	J. & H. W. Post	do	568....do	June 16, 1862	Do. do.
April 29, 1862	Mary & Elizabeth.....do	190	Leonard W. Reed	do	760....do	In service	Do. do.
April 30, 1862	T. R. Hammond.....do	106	A. C. Hall, agent	do	424....do	Oct. 6, 1862	Do. do.
May 1, 1862	Pennsylvania.....do	143	....do	do	572....do	Sept. 16, 1862	Do. do.
May 1, 1862	Fisher.....do	112	.....do	do	448....do	In service	Do. do.
May 2, 1862	Mountain Eagle.....do	195	.....do	do	780....do	July 1, 1862	Do. do.
May 2, 1862	John Forsyth.....do	247	W. Applegarth & Sons	do	988....do	Sept. 24, 1862	Transportation of Burnside's expedition.
May 2, 1862	Baltimore.....do	120	M. A. Mitchell	do	480....do	June 30, 1862	Transportation of McClellan's expedition.
May 2, 1862	E. D. McClenehann....do	114	A. C. Hall, agent	do	456....do	In service	Do. do.
May 4, 1862	Emma Emelia.....do	250	A. E. Harding	do	1,000....do	Oct. 29, 1862	Transportation of Burnside's expedition.
May 5, 1862	Mohawk.....do	141	A. C. Hall, agent	do	564....do	Oct. 31, 1862	Do. do.
May 5, 1862	E. W. Farrington.....do	211	.....do	do	844....do	Sept. 15, 1862	Transportation of McClellan's expedition.
May 6, 1862	John Tilton.....do	160	J. S. Lawrence	do	640....do	In service	Transportation of Burnside's expedition.
May 6, 1862	Luther Child.....do	168	Charles Kelley	do	662....do	....do	Do. do.
May 7, 1862	Mary Ann McGee.....do	226	A. C. Hall, agent	do	950....do	Sept. 22, 1862	Transportation of McClellan's expedition.
May 8, 1862	A. S. Eells.....do	118	.....do	do	472....do	Sept. 16, 1862	Do. do.
May 9, 1862	Mountain Avenue.....do	174	F. G. Kelley	do	696....do	In service	Do. do.
May 9, 1862	Emma Firbish.....do	184	A. C. Hall, agent	do	736....do	June 16, 1862	Do. do.
May 12, 1862	Geo. W. Grice.....do	118	John Palmer	do	472....do	June 30, 1862	Do. do.
May 12, 1862	Undine.....do	100	Jephta Baker	do	400....do	....do	Do. do.
May 20, 1862	Typhoon.....do	265	A. C. Hall, agent	do	1,060....do	In service	Do. do.
May 20, 1862	Southerner.....do	230	.....do	do	920....do	Sept. 25, 1862	Do. do.
May 23, 1862	Alexander Law.....do	212	.....do	do	844....do	Sept. 17, 1862	Do. do.
June 9, 1862	Hamor.....do	120	.....do	do	480....do	In service	Do. do.
June 10, 1862	Wm. L. Dayton.....do	131	.....do	do	540....do	Oct. 27, 1862	Transportation of public stores.
June 10, 1862	Wm. Gregory.....do	150	.....do	do	600....do	In service	Do. do.
June 13, 1862	Jas. H. Moore.....do	280	.....do	do	1,120....do	Jan. 16, 1863	Do. do.
June 26, 1862	Frances.....do	.....	..... do	do	192....do	In service	Do. do.
July 1, 1862	Louisiana.....do	133	M. A. Mitchell	Colonel Jas. Belger.	532....do	....do	Do. do.
Aug. 11, 1862	Carrie.....do	110	W. Applegarth & Sons	do	440....do	Nov. 4, 1862	Do. do.
Aug. 11, 1862	Ontario.....do	75	A. C. Hall, agent	do	340....do	Sept. 16, 1862	Do. do.
Aug. 11, 1862	Almira T.....do	159	Wm. Rhodes & Son	do	650....do	Sept. 15, 1862	Do. do.
Aug. 11, 1862	Lawrence.....do	118	Tregor & Tull	do	475....do	Nov. 22, 1862	Do. do.

Aug. 11, 1862	Tolla	do	95	W. Applegarth & Son	do	308	do	In service	Do. do.
Aug 11, 1862	B. N. Fox	do	148	do	do	592	do	Sept. 17, 1862	Do. do.
Aug. 11, 1862	Clara Bell	do	122	do	do	500	do	do	Do. do.
Aug. 11, 1862	William & John	do	195	do	do	380	do	Sept. 18, 1862	Do. do
Aug. 11, 1862	J., M., & A. J. Foxwell	do	78	do	do	312	do	Sept. 17, 1862	Do. do.
Aug. 11, 1862	Federal Hill	do	110	do	do	440	do	Sept. 18, 1862	Do. do.
Aug. 12, 1862	J. R. Griffith	do	90	do	do	360	do	Sept. 17, 1862	Do. do.
Aug. 12, 1862	John P. Spedder	do	92	do	do	368	do	Sept. 22, 1862	Do. do.
Aug. 12, 1862	Butterfly	do	100	do	do	400	do	Oct. 4, 1862	Do. do.
Aug. 11, 1862	Mountaineer	do	74	do	do	296	do	do	Do. do.
Aug. 21, 1862	Wm. Frazier	do	106	do	do	424	do	do	Do. do.
Aug. 21, 1862	Louisiana	do	133	do	do	533	do	do	Do. do.
Aug. 21, 1862	Ambition	do	100	do	do	400	do	do	Do. do.
Aug. 22, 1862	Jos. Holmes	do	221	R. F. Holmes	do	884	do	In service	Do. do.
Aug. 28, 1862	Wonder	do	190	Rose & Lyon	do	760	do	do	Do. do.
Sept. 9, 1862	Robert T. Hayley	do	133	W. Applegarth & Son	do	532	do	Oct. 27, 1862	Do. do.
Nov. 25, 1862	Richard Barton	do	150		do	600	do	In service	Do. do.
Nov. 20, 1862	Jane F. Durfee	do	199		do	796	do	do	Do. do.
Nov. 21, 1862	Alex. Blue	do	172		do	688	do	do	Do. do.
Dec. 10, 1862	Susan Duncan	do	154	Kelsey & Grey	do	616	do	do	Do. do.
Dec. 10, 1862	Herbert Menton	do	200	Ephraim Crowell	do	800	do	Dec. 29, 1862	Do. do.
Dec. 15, 1862	Ella	do	213	Kelsey & Grey	do	852	do	Jan. 16, 1863	Do. do.
Dec. 23, 1862	H. C. Brooks	do	198	John Miller	do	792	do	In service	Do. do.
Dec. 23, 1862	Wm. H. Dayton	do	135	Kelsey & Grey	do	540	do	do	Do. do.
Dec. 23, 1862	R. Leach	do	126	do	do	504	do	do	Do. do.
Dec. 23, 1862	W. Donnolly	do	130	John Hunter	do	512	do	do	Do. do.
Dec. 23, 1862	W. H. Sargent	do	173	Kelsey & Grey	do	692	do	do	Do. do.
Dec. 23, 1862	Long A. Orenett	do	199	do	do	796	do	do	Do. do.
Dec. 24, 1862	Thos. K. Haghlett	do	89	George H. Edgar	do	356	do	do	Do. do.
Dec. 24, 1862	Julie Anna	do	193	Jos. Harding	do	772	do	do	Do. do.
Jan. 1, 1863	Ellen	do	140	R. M. Eslan	do	660	do	do	Do. do.
Jan. 2, 1863	Carrie Wells	do	163	Kelsey & Grey	do	652	do	do	Do. do.
Jan. 2, 1863	A. C. Reeves	do	163	do	do	652	do	do	Do. do.
Jan. 2, 1863	Anna Gardner	do	150	do	do	600	do	do	Do. do.
Jan. 2, 1863	Chester Oak	do	169	do	do	675	do	do	Do. do.
Jan. 2, 1863	Citizen	do	83	do	do	332	do	do	Do. do.
Jan. 2, 1863	Alcona	do	102	do	do	408	do	do	Do. do.
Jan. 2, 1863	G. W. Carpenter	do	222	C. M. Jackson & Co	do	888	do	do	Do. do.
Jan. 3, 1863	Daniel Williams	do	136	Kelsey & Grey	do	644	do	do	Do. do.
Jan. 5, 1863	William H. Mailer	do	191	do	do	764	do	do	Do. do.
Jan. 8, 1863	Wm. L. Montague	do	141	W. Applegarth & Son	do	664	do	do	Do. do.
Jan. 10, 1863	Martha Jane	do	191	Kelsey & Grey	do	764	do	do	Do. do.
Jan. 12, 1863	Caroline C. Holmes	do	116	do	do	464	do	do	Do. do.
Jan. 12, 1863	Vest. Dennis	do	299	do	do	1,196	do	do	Do. do.
Jan. 12, 1863	William Cowell	do	121	do	do	484	do	do	Do. do.
Jan. 12, 1863	Butterfly	do	100	W. Applegarth & Son	do	400	do	do	Do. do.
Jan. 12, 1863	Cornelia J. Kewkinik	do	247	Kelsey & Grey	do	988	do	do	Do. do.
Jan. 13, 1863	E. G. Scott	do	130	do	do	520	do	do	Do. do.
Jan. 14, 1863	Ephraim and Anna	do	257	R. M. Eslan	do	1,028	do	do	Do. do.
Jan. 14, 1863	L. W. Birdsall	do	167	do	do	668	do	do	Do. do.
Jan. 15, 1863	Silver Star	do	178	W. Applegarth & Son	do	712	do	do	Do. do.
May 6, 1862	Belle of Cape Ann	sloop	100	Wm. H. Green	do	400	do	do	Transportation of Burnside's expedition.
Aug. 12, 1862	Delaware	do	75	W. Applegarth & Son	do	300	do	do	Transportation of public stores.

AAA.—*Report of vessels chartered and employed by Colonel James Belger, quartermaster, &c.*—Continued.

Date of charter.	Name and description of vessels.	Ton'age.	From whom chartered.	By whom chartered.	Rate of pay.	When discharged.	For what purpose employed.
Jan. 24, 1862	Lady.....barge...	.....	John Raser, Mas.....	Major Belger.....	$7½ per day.	Feb. 13, 1862	Transportation of pontoon bridges
Feb. 12, 1862	Flying Dutchman.....do....	.....	Wm. Myers.....	.....do.....	6....do....	Feb. 28, 1862	Do. do.
Feb. 15, 1862	G. L. Stichter.....do....	.....	James McDougal.....	.....do.....	5....do....	May 22, 1862	Transportation of McClellan's expedition.
Feb. 15, 1862	Hero.....do....	.....	Jacob Shurts.....	.....do.....	10....do....	June 30, 1862	Do. do.
Feb. 15, 1862	Wm. Bourke.....do....	.....	Owen Brady.....	.....do.....	10....do....	Oct. 27, 1862	Transportation of public stores.
Feb. 15, 1862	John Moffit.....do....	.....	Bernard Curran.....	.....do.....	8....do....	May 31, 1862	Do. do.
Feb. 15, 1862	Dailey Walker.....do....	.....	Francis McCullock.....	.....do.....	8....do....	Oct. 4, 1862	Do. do.
Feb. 15, 1862	Nancy Beavers.....do....	.....	Jacob Shurtz.....	.....do.....	10... do....	Feb. 23, 1862	Do. do.
Feb. 15, 1862	Minnie Reppelier.....do...	.....	Thomas Daggett.....	.....do.....	9....do....	May 30, 1862	Transportation of McClellan's expedition.
Mar. 24, 1862	United States.....do....	.....	James Mulvin.....	.....do.....	8....do....	June 30, 1862	Do. do.
Mar. 27, 1862	Iowa.....do....	.....	Henry R. Boyer.....	.....do.....	12....do....	Sept. 19, 1862	Do. do.
Mar. 29, 1862	Samuel Woolly.....do....	.....	A. C. Hall, agent.....	.....do.....	12....do....	Oct. 29, 1862	Do. do.
Mar. 29, 1862	Winekoop.....do....	.....	.....do.....	.....do.....	12....do...	June 21, 1862	Do. do.
April 1, 1862	Tom O'Neil.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 1, 1862	Do. do.
April 1, 1862	Mary Connolly.....do....	.....	.....po.....	.....do.....	12....do..	Oct. 20, 1862	Do. do.
April 1, 1862	Nevada.....do....	.....	.....do.....	.....do.....	12....do....	June 30, 1862	Do. do.
April 1, 1862	Vera Cruz.....do....	.....	.....do.....	.....do.....	12...do....	June 24, 1862	Do. do.
April 1, 1862	Little Sallie.....do....	.....	.....do.....	.....do.....	12... do....	In service..	Transportation of McClellan's exp'n, &c.
April 1, 1862	Planet.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 1, 1862	Transportation of McClellan's expedition.
April 1, 1862	Young Henry.....do....	.....	.....do.....	.....do.....	12....do....	In service....	Do. do.
April 2, 1862	Jane Toner.....do....	.....	.....do.....	.....do.....	12....do..	Oct. 31, 1862	Do. do.
April 2, 1862	Niagara.....do....	.....	.....do.....	.....do.....	12....do....	June 28, 1862	Do. do.
April 3, 1862	J. M. Rippller.....do....	.....	.....do.....	.....do.....	12....do....	June 30, 1862	Do. do.
April 3, 1862	Agnes Gibson.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 22, 1862	Do. do.
April 5, 1862	Kape May.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 31, 1862	Do. do.
April 7, 1862	Nightingale.....do....	.....	.....do.....	.....do.....	12....do....	June 7, 1862	Do. do.
April 7, 1862	Euphemia.....do....	.....	.....do.....	.....do.....	12.. do...	Oct. 3, 1862	Do. do.
April 7, 1862	Andrew Buckley.....do....	.....	.....do.....	.....do.....	12.. .do....	Oct. 1, 1862	Do. do.
April 7, 1862	A. C. Page.....do....	.....	.....do.....	.....do.....	12 ..do...	Oct. 22, 1862	Do. do.
April 28, 1862	California.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 17, 1862	Transportation of McClellan's exp'n, &c.
April 28, 1862	M. A. Duffy.....do....	.....	.....do.....	.....do.....	12. ..do....	....do.....	Do. do.
April 28, 1862	Friendship.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 1, 1862	Transportation of McClellan's expedition.
April 28, 1862	E. Reider.....do....	.....	.....do.....	.....do.....	12... do....	Sept. 19, 1862	Do. do.
April 28, 1862	Great Republic.....do....	.....	.....do.....	.....do.....	12....do....	Sept. 3, 1862	Do. do.
April 28, 1862	John Pickup.....do....	.....	.....do.....	.....do.....	12....do...	Oct. 29, 1862	Do. do.
May 1, 1862	Charles E. Morris.....do....	.....	.....do.....	.....do.....	12....do....	Oct. 31, 1862	Do. do.
May 1, 1862	Lewis and Butler.....do....	.....	.....do.....	.....do.....	15....do....	June 30, 1862	Do. do.
May 1, 1862	T. S. Marsh.....do....	.....	.....do.....	.....do.....	12....do....	June 28, 1862	Do. do.
May 1, 1862	M. A. Brown.....do....	.....	.....do.....	.....do.....	12....do....	May 23, 1862	Do. do.

May	2, 1862	John Adams	do		do	do	12 do	Sept. 19, 1862	Transportation of McClellan's expedition.
May	2, 1862	T. Spencer	do		do	do	12 do	Oct. 27, 1862	Do. do.
May	2, 1862	George Spencer	do		do	do	12 do	do	Do. do.
May	2, 1862	David Wilmot	do		do	do	12 do	Sept. 28, 1862	Do. do.
May	2, 1862	Edward	do		do	do	12 do	June 1, 1862	Do. do.
May	2, 1862	Heckscher	do		do	do	12 do	do	Do. do.
May	2, 1862	M. Fritz	do		do	do	12 do	do	Do. do.
May	2, 1862	James Campbell	do		do	do	12 do	June 28, 1862	Do. do.
May	2, 1862	Orange	do		do	do	12 do	Oct. 1, 1862	Do. do.
May	2, 1862	Mary Linda	do		do	do	12 do	In service	Do. do.
May	2, 1862	Little Oliver	do		do	do	12 do	Oct. 1, 1862	Do. do.
May	3, 1862	Mary Agnes	do		do	do	12 do	June 2, 1862	Do. do.
May	3, 1862	Rebecca	do		do	do	12 do	Oct. 28, 1862	Do. do.
May	5, 1862	John F. Morton	do		do	do	12 do	Sept. 22, 1862	Transportation of McClellan's exp'n, &c.
May	5, 1862	W. T. Anderson	do		do	do	12 do	Oct. 22, 1862	Transportation of McClellan's expedition.
May	5, 1862	Mattie J. Henselman	do		do	do	9 do	Sept. 30, 1862	Do. do.
May	5, 1862	Thomas T. Straw	do		do	do	9 do	June 30, 1862	Do. do.
May	5, 1862	Swan	do		do	do	12 do	do	Do. do.
May	5, 1862	George W. Beavers	do		do	do	12 do	In service	Do. do.
May	5, 1862	D. J. Townsand	do		do	do	12 do	Oct. 3, 1862	Do. do.
May	8, 1862	Mary Welch	do		do	do	9 do	Oct. 1, 1862	Do. do.
May	8, 1862	Dutch Traveller	do		do	do	9 do	Sept. 22, 1862	Do. do.
May	8, 1862	Andrew Buckley	do		do	do	12 do	Sept. 7, 1862	Do. do.
May	8, 1862	Adolphus Fisher	do		do	do	12 do	Sept. 23, 1862	Do. do.
May	9, 1862	Forrest Flower	do		do	do	9 do	June 30, 1862	Do. do.
May	12, 1862	Alexander the Great	do		do	do	12 do	June 11, 1862	Do. do.
May	14, 1862	Baltic	do		do	do	12 do	Oct. 1, 1862	Do. do.
May	23, 1862	J. L. Stitchter	do		James McDougal	do	10 do	Oct. 31, 1862	Do. do.
June	1, 1862	John Moffit	do		Bernard Curran	do	8 do	Aug. 16, 1862	Do. do.
June	29, 1862	Hero	do		Jacob Shurts	do	10 do	Sept. 22, 1862	Transportation of public stores.
July	1, 1862	Forrest Flower	do		A. C. Hall, agent	Colonel Belger	9 do	do	Do. do.
Aug.	25, 1862	Seven Sisters	do		do	do	9 do	Sept. 19, 1862	Do. do.
Aug.	25, 1862	Feronia	do		do	do	9 do	Sept. 22, 1862	Do. do.
Aug.	25, 1862	Zouave	do		do	do	9 do	do	Do. do.
Aug.	25, 1862	Carrie	do		do	do	9 do	do	Do. do.
Aug.	25, 1862	Lizzie Arnold	do		do	do	10 do	do	Do. do.
Aug.	27, 1862	Thomas Franklin	do		do	do	9 do	Sept. 19, 1862	Do. do.
Aug.	26, 1862	Grey Eagle	do		do	do	9 do	do	Do. do.
Aug.	26, 1862	Village Belle	do		do	do	9 do	do	Do. do.
Aug.	26, 1862	Martha and Sarah	do		do	do	9 do	Sept. 20, 1862	Do. do.
Sept.	6, 1862	Frances	do		Charles Coblens	do	12 do	Sept. 18, 1862	Do. do.
Sept.	6, 1862	John Warner	do		do	do	12 do	do	Do. do.
Nov.	14, 1862	George M. Vanzan	do	68	Alfred Steer	do	10 do	In service	Do. do.
Nov.	14, 1862	Kate Taylor	do		Michael Kes. Burgher	do	12 do	do	Do. do.
Nov.	14, 1862	Empire City	do		Edward Burke	do	12 do	do	Do. do.
Nov.	14, 1862	Catherine Ann	do		W. Maghey	do	12 do	do	Do. do.
Nov.	14, 1862	George Wilhelm	do		George Wilhelm	do	10 do	do	Do. do.
Nov.	14, 1862	Commodore Foote	do		William Donnell	do	10 do	do	Do. do.
Nov.	14, 1862	Estella	do		John Kane	do	10 do	do	Do. do.
Nov.	14, 1862	Belle and Kate	do		William Bell	do	10 do	do	Do. do.
Nov.	14, 1862	Perkins McCan	do		Henry Donnell	do	10 do	do	Do. do.
Nov.	14, 1862	Prosper	do		Benjamin Hunnell	do	10 do	do	Do. do.
Nov.	14, 1862	Peter Stener	do		James Gracey	do	10 do	do	Do. do.

AAA.—*Report of vessels chartered and employed by Colonel James Belger, quartermaster, &c.*—Continued.

Date of charter.	Name and description of vessels.	Ton'age.	From whom chartered.	By whom chartered.	Rate of pay.	When discharged.	For what purpose employed.	
Nov. 14, 1862	Mount Vernon.....barge...	.....	M. Ozendorf.....	Colonel Belger....	$10 per day ..	In service ...	Transporting government stores.	
Nov. 14, 1862	United States.....do....	.....	F. O. Donnell.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Union Forever.....do....	.....	Joseph Smitzer.....	.....do.....	10....do...	....do.....	Do.	do.
Nov. 15, 1862	Union, No. 1.....do....	.....	Dan'l Blizaria.....	.....do.....	10... do....	....do....	Do.	do.
Nov. 15, 1862	Wm. Harrison..... do....	.....	C. W. Beverson	..... do.....	10....do...	....do.....	Do.	do.
Nov. 15, 1862	E. M. Stanton.....do....	.....	J. Hipple.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Thomas Welch.....do....	.....	M. Walls.....	.....do.....	10....do....	....do.... .	Do.	do.
Nov. 15, 1862	C. J. Burbaker.....do....	.....	H. Burbaker.....	.....do.....	10....do....	. do.....	Do.	do.
Nov. 15, 1862	Carrie and Emma .....do....	.....	John Douglas.....	.....do....	10....do...	....do	Do.	do.
Nov. 15, 1862	J. Q. M. McConkey....do....	.....	C. F. Connell.....	.....do.....	10....do....	....do	Do.	do.
Nov. 15, 1862	Ne Plus Ultra .....do....	.....	J. Hipple.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	S. G. Hestine.....do....	.....	Wm. Frederick.....	... ... do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	George W. Beaver.....do....	.....	H. K. White.....	.....do.....	12....do ..	.. .do.....	Do.	do.
Nov. 15, 1862	Carondelet.....do ...	.....	Pat. Brokell	.....do.....	10....do....	....do..	Do.	do.
Nov. 15, 1862	Wm. Nagell.....do....	.....	James Blair.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Dr. Hull .....do....	.....	Robert Slatt.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Harriet and Louisa.....do....	.....	A. Hoover	.....do.....	10....do....	....do	Do.	do.
Nov. 15, 1862	Young Charles.....do ...	.....	Jacob Swan.....	.....do.....	10....do....	....do....	Do.	do.
Nov. 15, 1862	Birdhill Boy.....do....	.....	Wm. Buckley	.....do.....	12....do....	....do.....	Do.	do.
Nov. 14, 1862	W. C. Burbaker.....do....	.....	Nath'l Noblet.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Mary Queen.....do....	.....	John Taylor	.....do.....	12....do...	....do.....	Do.	do.
Nov. 15, 1862	James E. Blackwell....do....	.....	J. W. Brass.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Mary Elizabeth.....do....	.....	Wm. Hugentugles.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Liberty .....do....	.....	Robert Patterson.....	.....do.....	12....do....	....do.....	Do.	do.
Nov. 15, 1862	Union.....do....	.....	A. Duvan.....	..... do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	John Bousman .....do....	.....	John Boyle.....	.. .... do.....	12....do....	....do.....	Do.	do.
Nov. 15, 1862	James Cook.....do....	.....	George Wilhelm	.....do.....	10....do....	....do.....	Do.	do.
Nov. 15, 1862	Young America.....do....	.....	Thomas Blunt.....	.....do.....	12....do....	....do.....	Do.	do.
Nov. 17, 1862	Lizzie Arnold..... do....	.....	J. L. Arnold	.....do	10....do....	....do.....	Do.	do.
Nov. 17, 1862	Thomas E. Franklin... do....	.....	Jacob Piper.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 17, 1862	Thomas Craig.... ....do....	.....	George McClure	.....do.....	10....do....	....do.....	Do.	do.
Nov. 17, 1862	Balt. Coal Co., No 26..do...	.....	James Harlon.....	.....do.....	10....do....	....do	Do.	do.
Nov. 17, 1862	N. R. J. Mills.....do....	.....	Harry Beck.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 17, 1862	Verdelia Seabold .....do....	.....	H. Seabold.....	.. ..do.....	10....do....	....do.....	Do.	do.
Nov. 17, 1862	C. H. Clark, No. 1.....do ...	.....	David Hakel.	.....do.....	10....do....	.. do.....	Do.	do.
Nov. 17, 1862	California .....do....	.....	David Forsyth.....	.....do.....	12....do....	....do.... .	Do.	do.
Nov. 17, 1862	Clementine .....do....	.....	John Lynberger.....	.....do.....	10....do .	....do.....	Do.	do.
Nov. 17, 1862	Sarah Edith.....do....	.....	John Murray	.....do..... ...	10....do....	....do	Do.	do.
Nov. 17, 1862	P. O Griffman.....do....	.....	James Oliver	.....do	10....do....	....do	Do.	do.
Nov. 17, 1862	Monitor, No. 1 .....do ...	.....	Jacob S. Patten.....	.....do.....	10.. .do....	....do.....	Do.	do.
Nov. 17, 1862	Elizabeth Collins.....do....	.....	Jesse Michael.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 17, 1862	Smith and Kurtz..... .do....	.....	S. A. Schraf.....	.....do.....	10....do....	....do.....	Do.	do.
Nov. 18, 1862	Wyoming .....do....	.....	Thomas M. Wrathmiller.....	.....do.....	10... do....	....do.....	Do.	do.
Nov. 18, 1862	Young Thomas.....do....	.....	H. McLaughlin.....	.....do.....	12....do....	....do.....	Do.	do.

Nov. 18, 1862	J. A. Barley	do		Jacob Olmstead	do	10	do	do	Do. do.
Nov. 18, 1862	Vindicator	do		A. L. Hoggins	do	10	do	do	Do. do.
Nov. 18, 1862	B. F. Houser	do		G. W. Hauser	do	10	do	do	Do. do.
Nov. 18, 1862	Richard Vaul	do		James McFargo	do	12	do	do	Do. do.
Nov. 18, 1862	William Tash	do		William Wilson	do	10	do	do	Do. do.
Nov. 19, 1862	T. C. Blackwell	do		John Milton	do	10	do	do	Do. do.
Nov. 19, 1862	J. J. Rowan	do		M. Maloney	do	10	do	do	Do. do.
Nov. 19, 1862	Joseph Bird	do		Thomas Zelle	do	10	do	do	Do. do.
Nov. 19, 1862	Abraham Collins	do		Abraham Collins	do	10	do	do	Do. do.
Nov. 20, 1862	General R. Flanning	do		J. L. Hulzner	do	10	do	do	Do. do.
Nov. 20, 1862	Cornelius Haggerty	do		Franzis Menker	do	12	do	do	Do. do.
Nov. 20, 1862	Samuel M. Wright	do		Wm. Ockman	do	10	do	do	Do. do.
Nov. 20, 1862	James Henry	do		A. Mycer	do	10	do	do	Do. do.
Nov. 20, 1862	Sallie Ann	do		P. S. McCuller	do	10	do	do	Do. do.
Nov. 20, 1862	Ceres	do		M. Donahue	do	10	do	do	Do. do.
Nov. 20, 1862	Durange	do		John McLaughlin	do	10	do	do	Do. do.
Nov. 20, 1862	George P. Watson	do		S. V. Coover	do	10	do	do	Do. do.
Nov. 21, 1862	Thomas M. Wrathnell	do		Ezra Wrathnell	do	10	do	do	Do. do.
Nov. 21, 1862	John A. Hopper	do		J. R. Barret	do	10	do	do	Do. do.
Nov. 21, 1862	Kirkfew	do		William Pehanna	do	10	do	do	Do. do.
Nov. 29, 1862	Constitution	do		A. F. Bartolet	do	15	do	do	Do. do.
Nov. 22, 1862	Resolute	do		C. McKim	do	10	do	do	Do. do.
Nov. 22, 1862	George Frize	do		Robinson Williams	do	10	do	do	Do. do.
Dec. 8, 1862	Heber A. Sihock	do		E. Gregery	do	10	do	do	Do. do.
Dec. 8, 1862	Blue Duck	do		J. H. Douglas	do	10	do	do	Do. do.
Dec. 8, 1862	Butler Woodward	do		William H. Stephens	do	10	do	do	Do. do.
Dec. 8, 1862	Reliance	do		William Kline	do	10	do	do	Do. do.
Dec. 8, 1862	Alexander Grey, No. 14	do		Peter Grarahan	do	10	do	do	Do. do.
Dec. 8, 1862	J. Seasholtz	do		Alex. Cassett	do	10	do	do	Do. do.
Dec. 8, 1862	Dickinson and Wilson	do		Jonas Kohler	do	10	do	do	Do. do.
Dec. 9, 1862	Emma	do		E. Hamilton	do	12	do	do	Do. do.
Dec. 9, 1862	Clara W. Brewer	do		Moses Brewer	do	10	do	do	Do. do.
Dec. 9, 1862	Carrie and Kate	do		George Lesher	do	10	do	do	Do. do.
Dec. 10, 1862	Flag of our Union	do		E. Faux	do	10	do	do	Do. do.
Dec. 10, 1862	Ella	do		W. H. Oler	do	10	do	do	Do. do.
Dec. 10, 1862	Maggie Bell	do		Charles Malady	do	10	do	do	Do. do.
Dec. 10, 1862	Golden Eagle	do		Charles W. Blakeman	do	10	do	do	Do. do.
Dec. 10, 1862	Dancing Wave	do		Julius Skiff	do	10	do	do	Do. do.
Dec. 10, 1862	Monitor	do		Jacob Fareman	do	10	do	do	Do. do.
Dec. 10, 1862	Balt'o Coal Co., No. 37	do		B. Annerman	do	10	do	do	Do. do.
Dec. 10, 1862	Thomas Fairman	do		A. E. Fairman	do	10	do	do	Do. do.
Dec. 10, 1862	Hopewell	do		J. H. Hopewell	do	10	do	do	Do. do.
Dec. 10, 1862	Mazy Welsh	do		George W. Brenneman	do	10	do	do	Do. do.
Dec. 14, 1862	W. Catherine Ann	do		John Maloney	do	10	do	do	Do. do.
Dec. 23, 1862	Freonia	do		Isaiah Hipple	do	10	do	do	Do. do.
Dec. 23, 1862	Susan	do		W. H. Thompson	do	10	do	do	Do. do.
Dec. 23, 1862	T. H. Hugg	do		Charles Epley	do	10	do	do	Do. do.
Jan. 1, 1863	Essex	do		Steven Brader	do	10	do	do	Do. do.
Jan. 1, 1863	Mathew Fift	do		James Walker	do	10	do	do	Do. do.
Jan. 1, 1863	A. Scherwood & Co.	do		J. R. Soiler	do	10	do	do	Do. do.
Jan. 9, 1863	W. F. Fursyth	do		J. H. Hopewell	do	10	do	do	Do. do.
Jan. 12, 1863	Thomas Perrin	do		J. W. Hall	do	15	do	do	Do. do.

AAA.—*Report of vessels chartered and employed by Colonel James Belger, quartermaster, &c.*—Continued.

Date of charter.	Name and description of vessels.	Ton'age.	From whom chartered.	By whom chartered.	Rate of pay.	When discharged.	For what purpose employed.
Jan. 12, 1863	M. Duffy ..... barge..	.....	Owen Duffy	Col. James Belger..	$12 per day..	In service. ..	Transporting government stores.
Dec. 6, 1862	Sophia Savage ....do....	.....	Alex. Givin.....	.....do	12....do....	....do.... ...	Do. do.
Dec. 6, 1862	Minnienneope .....do....	.....	Cockey & Co.....	.....do.....	10....do....	... do.....	Do. do.
Nov. 19, 1862	Pile-driver, No. 1.....do ...	.....	John N. Ely.....	.....do.....	75....do....	... do.....	Do. do.

RECAPITULATION.

Steamers.....	14, in service at present.....	4
Steam-tugs	13, ...do.....do.....	5
Bark.	1, ...do.....do.....	–
Brigs....	2, ...do .....do.....	–
Schooners.....	155, ...do. .....do.....	59
Sloops	2, ...do.....do.....	1
Barges.....	196, ...do.....do.....	115
Pile driver.....	1, ...do. .... do.....	1

JAMES BELGER,
Colonel and Quartermaster.

CHIEF QUARTERMASTER'S OFFICE,
Baltimore Maryland, January 23, 1863.

The following letter was received from Colonel Belger after he had ven the previous testimony:

QUARTERMASTER'S OFFICE,
Baltimore, January 31, 1863.

SIR: The insertion of the name of the steamer Louisiana in the list of char-ed vessels, handed to you by me as being chartered by me on the 18th of pril, 1862, at $800 per day, is an error, and I hope you will have it stricken t from the list.

This steamer was chartered on the 8th January, 1862, by the Hon. John ucker, then Assistant Secretary of War, (?) and remained in the service until ptember 15, 1862. The price paid for her was $800 per day. By order the quartermaster general, at different times, I paid for her services $200,800, s $389 77, for amount of sub-stores delivered to her, and for amount paid a mporary captain, leaving net amount of $200,410 23 paid her for 251 days' rvice. I employed this steamer for four days from 4th December, 1862, to 8th ecember, 1862, at $600 per day, to carry horses and commissary stores to ortress Monroe for General Banks's expedition.

Very respectfully, your obedient servant,

JAS. BELGER,
Colonel and Quartermaster.

Hon. J. W. GRIMES,
Chairman of the Investigating Committee of the Senate,
Washington.

Question. I understand from this report that the number chartered y, through, or under you has been 14 steamers, 13 steam-tugs, one arge, two brigs, 155 schooners, two sloops, 196 barges and one ile-driver.

Answer. Yes, sir.

Question. And of these there are now in the public employment, steamers, 5 steam-tugs, 59 schooners, 1 sloop, 115 barges, and one ile-driver?

Answer. In relation to tonnage, there are a few vessels there the onnage of which I could not find.

Question. I understand from you that all the vessels enumerated this list were either chartered at the instance, and under the irection, of Mr. John Tucker, or of the quartermaster general?

Answer. Yes, sir; or of myself, in carrying out the orders of the uartermaster general or Col. McCullum for the transportation of upplies.

Question. Were most of these vessels chartered through the gency of Mr. A. C. Hall?

Answer. Yes, sir, a great many of them—most of them.

Question. Have you made a report of the vessels chartered by you the quartermaster general's office?

Answer. Yes, sir, every month.

Question. Does the report made by you to the quartermaster gene-al's office correspond with the report you now submit?

Answer. Yes, sir, I have made this up from my vouchers and harter parties.

Question. You testified before, when before the committee, that Mr. Hall was written to by Mr. Tucker to take up the vessels?

Answer. Yes, sir.

Question. How many of the vessels chartered by Mr. Hall were taken up under that direction from Mr. Tucker?

Answer. That I cannot answer. There were a great many of them—most of them. I know I had to sign a great pile of those charters. I simply did it in obedience to that direction. I know nothing about the conditions, &c. I simply carried out the instructions of Mr. Tucker in signing the charters.

Question. Do you know Mr. John F. Pickrell?

Answer. Yes, sir.

Question. Did you have any intercourse with him?

Answer. Never, except that when I went to Baltimore he came to my office like everybody else, and I gave him a contract. An anonymous letter was sent to Washington to General Scott, by a Mr. Snethen, in which was a statement that I had been guilty of so and so. The quartermaster general wrote to General Dix concerning it. But, as it turned out, he had got hold of the wrong officer, as it was the commissary, as I have been informed. Without knowing just what it was, I asked the custom officers of the port of Baltimore to go with me to Fort McHenry to see General Dix about it. When I went in I said to General Dix, "We have come down here to ascertain what this means." General Dix declined giving me the names of the parties who made this communication, through delicacy to me, he regarding it, as I considered it, of very little moment. But General Meigs sent me an extract from the letter containing the names. The charge contained in this letter was that I had dealt with secessionists in Baltimore, and naming this John F. Pickrell. It turned out that the charge was groundless, and, as was said on the occasion, the parties making it "had to bite the dust." I then dismissed Pickrell from my office and patronage, and he never has had anything to do with my office, through me, since. This Mr. Pickrell has the reputation in Baltimore, I believe, of being a secessionist. I went to Baltimore, as I told the quartermaster general, a perfect stranger and met Mr. Pickrell. After I dismissed him he said he had a letter from Washington that would enable him to get all the business he could attend to. He had some vessels chartered for the Potomac, and when they sent these vessels back to me in consequence of the blockade, I found that Mr. Pickrell had a contract with the quartermaster in Washington, and I was directed to attend to the supplies and pay them off, and I had to pay him that account. In that way, and that only, I have had to meet him.

Question. Colonel Belger, Charles Coblens, in his testimony before this committee, swore that he had purchased of you an amount of clothing and epaulettes of the value of six or seven hundred dollars; state, if you please, what the facts are in regard to that matter?

Answer. Mr. Coblens was in my room one day when I had two large trunks of clothing, a part of which was uniform clothing and a part civilians' clothes. I was trying on a coat at the time, which did not fit me, as I had grown very much. I was overhauling my trunk, looking for a cape or something of the sort, when Coblens made a

suggestion, which I think nobody but a Jew would ever have made: "You have almost clothing enough there to set up a clothing store; wouldn't you like to dispose of it?" I replied that I would, gladly, as a great deal of it was almost wholly useless to me. He said, "I will take it." I let him have it, and I kept a list of the clothes, the prices, &c. I do not now know how much it amounted to. I desire to state here in that connexion that no man has ever dared to approach me with anything like bribery—nothing of the kind. Whenever anything looking in the slightest degree that way came to me I sent it to the office of the quartermaster general. At one time I had corns on my feet and they were rendered very distressing to me by a bungling operator, and while they were in that condition Coblens sometimes drove me in his buggy to my meals and to the office of the commanding general, &c.

I would like to add that the affairs of my depot are administered with the strictest fidelity, with energy and economy, as I believe the records of the office of the quartermaster general will show.

JAS. BELGER,
Colonel and Quartermaster.

WASHINGTON, *Saturday, January* 31, 1863.

Colonel JAMES BELGER, recalled, testified further as follows:

Examined by the chairman.

Question. Did you ever have a conversation with John F. Pickrell, in Baltimore, in your office, in regard to Charles Coblens?

Answer. Never, to my recollection.

Question. Did you ever state, in his presence, speaking of Mr. Coblens, that he, Coblens, was a perfect Rothschild, and would do your business?

Answer. I have often called Coblens Rothschild jestingly, Coblens being a Jew, as Rothschild was, and always desiring to make more money.

Question. Did you ever say that he was the man who was going to do your business?

Answer. No, sir, emphatically *no;* there was never any such thing in the world. I have frequently called Coblens Rothschild, as I have stated. I desire to append the following documents to my testimony. They relate to and explain my previous testimony in regard to the charge made against me of employing secessionists, including a letter from General Dix, expressing his opinion; also in regard to the subject, concerning which you have inquired, of Mr. John Tucker's directions as to the chartering of vessels from Mr. Hall, preceded by an explanatory note from myself to the chairman of this committee, in which I correct any misapprehension that may arise from my previous testimony as to Mr. Tucker's directions to me.

JAS. BELGER,
Colonel and Quartermaster United States Army.

QUARTERMASTER'S OFFICE,
Baltimore, February 3, 1863.

SIR: I have the honor herewith to acknowledge the receipt of your letter of 29th January, requesting me to furnish you with a copy of the letter which I addressed to General M. C. Meigs, in reply to a communication from him on the subject of the monopoly enjoyed by Amasa C. Hall in the charter of transports in your department, and to enclose herewith a copy of the letter which I wrote to the quartermaster general, and also a copy of the letter of Mr. A. C. Hall to me, which I enclosed in my letter to the quartermaster general.

I also enclose a note received from Hon. John Tucker, late Assistant Secretary of War, dated April 10, 1862, requesting me (as the captains required that their charter-parties be first signed before leaving) to perfect their charters, or, as he expresses it in the note, to do the *needful.*

These vessels were previously chartered by A. C. Hall, under the direction of the Hon. John Tucker, and were, I am informed, chartered for the Burnside expedition.

If my testimony before your committee makes me say that I was directed by the Hon. John Tucker to charter vessels from said Mr. Hall, it is an error, and I desire to correct it. What I desired to state was, that in a large proportion of the charter-parties of vessels from Mr. Hall, signed by me, the charters were not effected by me, nor the bargain for the vessel made by me, but by Mr. Hall, by direction of Mr. John Tucker, and I was subsequently requested by Mr. Tucker to complete the charter-parties for those vessels.

Although I appear upon the record as having chartered these vessels of Mr. Hall, in fact I did not effect the charters of one-fourth of those vessels that were chartered by Mr. Hall, but they were chartered by Mr. Tucker, and I merely acted as the clerical agent in completing the charter-parties.

Still, I would not be understood as saying that in the cases of those vessels that I did bargain for and charter myself of Mr. Hall. I did not do so by the direction of Mr. Tucker or anybody else.

I also enclose extracts from certain letters which I offered when last before you, and request, if you regard them of importance, to place them on file with my testimony.

Very respectfully, your obedient servant,

JAS. BELGER,
Colonel and Quartermaster.

Hon. J. W. GRIMES,
Chairman of the Committee of Investigation,
United States Senate, Washington.

HEADQUARTERS DEPARTMENT OF PENNSYLVANIA,
Fort McHenry, August 6, 1861.

GENERAL: I am happy to see that Major Belger is promoted. Allow me to say that I hope his promotion will not remove him from Baltimore. Having been here during an immense pressure of outgoing and incoming troops, I can bear testimony to the great efficiency and promptitude with which he has discharged his very arduous and responsible duties.

Very respectfully, yours,

JOHN A. DIX,
Major General.

General MEIGS, *Quartermaster General.*

True copy.

JAS. BELGER,
Colonel and Quartermaster.

HEADQUARTERS OF THE ARMY,
Washington, August 20, 1861.

SIR: I send you an extract from a letter received by the lieutenant general from Mr. W. G. Snethen, of Baltimore:

"Michael Warner, president of the Mechanics' Bank, a true-hearted Union man, told me that it was painful to hear rebels coming into his bank and boasting of the many favors of the government through *Quartermaster Belger* and others. Three big boats were recently bought by the Light-house Board, for $27,000, from a man by the name of Henderson, who was instrumental in removing the buoys from the harbor. One *J. H. Pickrell*, a violent rebel, is *Belger's factotum*, and boasts of buying of his rebel friends to the amount of $40,000, and of furnishing green oats to the cavalry horses. While these transactions tend to discourage the Union men, many of them are preparing to remove from the city, saying that if a premium is thus offered to disloyalty, they must seek a subsistence elsewhere."

Respectfully referred to the quartermaster general.

H. VAN RENSSELLIER,
Colonel and Aide-de-Camp.

Brigadier General MEIGS,
Quartermaster General.

True copy.

JAS. BELGER,
Colonel and Quartermaster.

HEADQUARTERS DEPARTMENT OF PENNSYLVANIA,
Baltimore, Maryland, August 24, 1861.

GENERAL: I have investigated, at your request, the charges against Major Belger, assistant quartermaster in this city, and am happy to say that so far as they allege an intentional bestowment of the public patronage on disloyal men they are utterly groundless.

Let me say, in the first place, that I do not like the manner in which these charges were made. I have received duplicate copies of the same, in substance, without a signature; one sent through Governor Seward, and the other through Moses H. Grinnell, esq., of New York. The writer of the letter to you is frequently at Fort McHenry, and if he had mentioned the subject to me I would have made the investigation, in justice to Major Belger as well as the government, without troubling you.

I desire to repeat what I have already said to you, that I have found Major Belger very prompt and efficient under severe pressure, and exceedingly scrupulous in regard to expenditure. I do not believe he is actuated by any other motive than an earnest wish to promote the best interests of the government.

In regard to specific charges:

First. He is accused of purchasing, through his agents, rotten and green oats, of which several horses died. I find no ground whatever for this charge. On the contrary, there is proof that the major refused to purchase green oats, and all his purchases for Washington were subject to inspection and rejection at the latter place.

Second. The employment of a man by the name of Pickrell, charged with disloyalty. The charge is denied by Mr. Pickrell, and has not been proved. Major Belger will satisfy himself, and discharge him if the charge is true.

I do not find any better ground for the other charges. I summoned here, at the suggestion of the writer of the letter you enclosed me, the collector of the

port, the surveyor, and the naval officer. I send herewith letters from them, and from the postmaster and deputy provost marshal.

Major Belger has been in the habit of consulting them as to the persons he should employ, and of whom he should purchase. I have no doubt some of the public money may have gone into the hands of secessionists. It could hardly have been avoided with the heavy purchases he has made, and often on sudden orders. But I think I may say that it has never been his intention, and that his aim has been, after looking first to the interest of the government, to divide its patronage among Union men. In a word, I think him an efficient, faithful, and conscientious public servant, and I believe the pecuniary interests of your department will not suffer in his hands.

I am, general, respectfully yours,

JOHN A. DIX,
Major General, Commanding.

Brigadier General M. C. MEIGS,
Quartermaster General, United States Army.

True copy.

JAS. BELGER,
Colonel and Quartermaster.

NAVAL OFFICE,
Custom-House, Baltimore, 8th Month 24, 1861.

ESTEEMED FRIEND: Having heard of the charges made against Major Belger, that he was in the habit of making his purchases of disloyal citizens, I feel it my duty to say that I have no doubt but that during a heavy press of business there may have been made some purchases of persons not altogether loyal. Whilst I admit this, I think my intimacy with the major qualifies me to say that I do not believe that he would have allowed such purchases to have been made if he had been cognizant of the fact.

I showed to Major Belger, early in the season, a letter directed to me by the Secretary of War, in which he advises the quartermaster to call on me in reference to the loyalty of our citizens. Scarcely a day passed but that I received a message from him in reference to this matter, making inquiry as to the standing of such and such men. If Major Belger has committed any errors in this respect, I do not believe but that the blame should fall as heavily upon me as upon him. *I am satisfied that he has wanted to do* the right thing. No better proof can I have of this than his willingness to take my advice.

I hope all government officials may be equally particular; if such were the fact, the minds of many persons would be more easy.

Thy friend,

F. S. CORKRAN, *Naval Officer.*

General JOHN A. DIX.

True copy.

JAS. BELGER, *Colonel and Quartermaster.*

BALTIMORE, 190 *Hoffman street, August* 25, 1861.

DEAR GENERAL: As my sole object in bringing to your notice the alleged dealings of Major Belger with rebels was the promotion of the best interests of the government, it gives me unalloyed pleasure to be able to certify, after a full

and free conversation with the major in the presence of Mr. Michael Warner, to whom I referred in my letter to you, a copy of an extract of which was properly referred to the major, that I am convinced he has been imposed on by designing individuals, wherever he may have employed or made purchases of secessionists, in the discharge of his official duties; that he has sincerely sought, and continues to seek, to have to do with none but loyal men in his dealings for the government; that he has promptly discharged disloyal men with whom he has had to do the moment he discovered the fact; that the parties to whom I referred for a statement of the facts on which my letter was based, to wit, the naval officer and the surveyor of the port, were mistaken—they having indeed taken back all their allegations of infidelity against the major, made to me, in letters to that effect to General Dix; and that I am more than satisfied with Major Belger's loyal purposes and determination, since my conference with him this morning, to stand by the government in all that concerns its best and highest interests.

I shall take care in my future intercourse with the Union people of Baltimore to place Major Belger in his true position, and to counteract, so far as in me lies, the reports that have been flying about so injurious to the character of your quartermaster here.

Faithfully, yours,

W. G. SNETHEN.

Lieutenant General WINFIELD SCOTT,
Washington, D. C.

True copy.

JAS. BELGER, *Colonel and Quartermaster.*

QUARTERMASTER GENERAL'S OFFICE,
Washington City, August 26, 1861.

DEAR SIR: I enclose you a copy of a letter received at this office from W. G. Snethen, of Baltimore, vindicating you from the charges recently made against you. I hope that you will not hereafter be annoyed. Rest assured that this department has had, and has, entire confidence in you.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster General.

Major JAMES BELGER, *Baltimore.*

True copy.

JAS. BELGER, *Colonel and Quartermaster.*

BALTIMORE, *August* 26, 1861.

DEAR SIR: I think sheer justice demands that I now address you this note—justice to you, and also to myself.

I have not at any time accused you or any other person, to the best of my knowledge, of persistently and intentionally bestowing the patronage of the United States government upon its foes, but *I have strongly*, in general terms, denounced as weak, pusillanimous, and impolitic, any such practice, or, indeed, affording any aid or comfort to even suspected individuals, or to those who are not known to be unquestionably sound in their allegiance. At your earnest request I have listened to the letters of several prominent gentlemen, such as the United States postmaster, naval officer, surveyor, &c., and feel bound to express

my full conviction that you are entirely exculpated from any intentional violation of a true and loyal Union spirit. I am happy, sir, to be disabused of a growing impression, now removed, that you were not altogether sound in the premises.

Very respectfully, your obedient servant,

MICHAEL WARNER.

Major JAS. BELGER, *Baltimore.*

True copy.

JAS. BELGER, *Colonel and Quartermaster.*

QUARTERMASTER'S OFFICE,
Baltimore, July 16, 1862.

GENERAL: I have the honor to acknowledge the receipt of your letter of the 9th instant, in reference to the manner of chartering vessels by me at this station, and to state, in reply, that as Mr. A. C. Hall had been engaged to do this service by the Hon. John Tucker, Assistant Secretary of War, and, so far as I know, had given full satisfaction, I got him to attend to the same for me.

I have called upon Mr. Hall for a written statement in regard to this matter, which I respectfully enclose herewith, and which I hope will prove satisfactory. The charter-parties returned to me have been corrected as directed, and are this day respectfully returned.

Very respectfully, your obedient servant,

JAMES BELGER,
Colonel and Quartermaster.

Brigadier General M. C. MEIGS,
Quartermaster General, Washington.

True copy.

JAMES BELGER,
Colonel and Quartermaster.

BALTIMORE, *July* 16, 1852.

COLONEL: In reference to the inquiry made by Brigadier General Meigs, quartermaster general, in his letter to you of the 9th instant, as to the necessity of chartering so many vessels from one individual, (myself,) I would respectfully state that, in my business as commission merchant, I act as an agent for the owners and masters of vessels, for convenience in supplying them with ship stores, ropes, anchors, and necessary material, as well as in the chartering of their vessels; and I would further state that I have not one dollar's interest in any of the vessels that I have chartered. They are owned by different persons residing in six or seven States. I act in the same capacity here in chartering vessels as Messrs. Morgan & Reinhart, of Washington, Bushops, Simmons & Co., of Philadelphia, and McCurdy, of New York. And I would further state, that in the month of January last Secretary Stanton advertised for proposals for steamers and sail vessels. I sent in a proposal, and they accepted from me some 40 schooners and 12 steamers, which I chartered to the Assistant Secretary of War for the owners of the vessels from this post. I am of the opinion that the public service is benefited by this, and the transactions of your department facilitated by this arrangement, while, at the same time, the owners and masters of vessels are accommodated, and much unnecessary delay and

trouble is avoided. I would also state that the honorable John Tucker, Assistant Secretary of War, is aware of, and fully understands, the nature of my business transactions with the government as an agent for the owners and masters, and would respectfully refer to him for any information on this subject that General Meigs, quartermaster general, may require.

Very respectfully, your obedient servant,

A. C. HALL.

Colonel JAMES BELGER, *Quartermaster U. S. A.*

True copy.

JAS. BELGER,
Colonel and Quartermaster.

BALTIMORE STEAM PACKET COMPANY,
Union Dock, foot of Concord street.

BALTIMORE, *April* 10, 1862.

DEAR SIR: I was *suddenly* called to leave Washington to go to Fort Monroe. I learn that the vessels loaded with engines and cars are ready to move, but the captains require that the charter-parties should be first signed. Will you oblige me by doing the needful, as it is very important they should be ready to go on a moment's notice.

Yours, very respectfully,

JOHN TUCKER,
Assistant Secretary of War.

Major J. BELGER,
Assistant Quartermaster, Baltimore.

WASHINGTON, *Friday, December*, 26, 1862.

LEWIS BAKER, being duly sworn, testified as follows:

Examined by the chairman.

Question. State, if you please, your name, age, residence, and occupation.

Answer. I am thirty-five years of age; I am sutler of the twenty-fifth regiment of New York volunteers; my residence is in New York city, on the corner of Thirtieth street and Second avenue.

Question. Have you, either individually and solely, or as a member of a company, been interested in any army transportation?

Answer. I have been interested in a steamboat. I have been part owner of a steamboat that has been chartered by the government. I have been interested in two steamboats, but only one that has been chartered by the government.

Question. Have you been interested in any sailing vessel or any other craft, other than a steamboat, that has been chartered by the government?

Answer. No, sir.

Question. What is the name of the boat you have alluded to?

Answer. The Metamora.

Question. When was she chartered?

Answer. Last March.

Question. What day in March?

Answer. She was chartered to be delivered at Annapolis on the 6th of March, 1862; I state from memory. We were to deliver her at Annapolis. A telegram came on here from one of the owners, who was in New York, to deliver her there on the 6th of March, with four thousand gallons of water on board. We got ready to run the blockade, and were stopped here on the night of the 4th by the quartermaster's department, at four or five o'clock in the afternoon. That is the time she was chartered. That afternoon, on the 4th of March, is the time the government took possession of her. The quartermaster's agent came down and stopped us as we were ready to go to Annapolis. I am inclined to think it was the 4th. We had to run the blockade, and deliver her at Annapolis with four thousand gallons of water.

Question. Your charter commenced then.

Answer. That is the time the government took possession of her.

Question. Was your pay to commence on the 6th?

Answer. By the original contract she was to be delivered at Annapolis on the 6th, to come under pay with the rest of the boats at that time.

Question. Who were the owners with you of that boat?

Answer. In the half in which I owned, Richard H. Platt and R. Van Valkenburgh.

Question. Who owned the other half?

Answer. George Powers, John P. Acker, and a Mr. Martin, and others; they were the Hudson Company that run the line of steamboats from New York to Hudson, and own the Connecticut and a lot of steamboats.

Question. By what government agent was she chartered?

Answer. I do not know, sir. She was chartered in New York to Mr. Powell. She was there chartered by Captain Loper or John Tucker. I was so informed by the parties when they came on. She was either chartered by Captain Loper or John Tucker.

Question. At what rate?

Answer. $450 a day, government finding coal and pilots.

Question. How long did she remain chartered?

Answer. She is chartered now. Five months ago they reduced the pay twenty-five per cent. I have never seen the charter. Captain Acker has acted as "ship's husband," as we call it, and it is in his name; the charter is, the four months since her pay has been reduced. She now gets $337 50 a day. She has been running as a flag of truce boat at Fortress Monroe. She is down there in that department.

Question. How much did the Metamora cost, and what is she worth?

Answer. She cost $25,000. We paid $12,500 for half of her.

Question. When did you buy her?

Answer. We bought her in February—I should say about the middle or in the latter part of the month.

Question. When did your pay for the Metamora actually commence?

Answer. We got paid from the first of the month.

Question. Why were you paid for that six days prior?

Answer. That is more than I can state. We were paid for her.

Question. Was she paid for during that time at the rate of $450 a day?

Answer. Yes, sir.

Question. Do you know of her having been employed for any private or personal purpose after she went into the government employ?

Answer. She has carried down private stores, liquors, &c., for some of the owners. That was on private speculation of their own; carrying liquors down to the army and selling them.

Question. Was government paying $450 a day for the boat at that time?

Answer. Yes, sir. John Acker and Richard Platt and R. Van Valkenburgh shared $3,200 on one trip, going down. That was not for the owners, but a private speculation of their own.

Question. To what extent has she been employed for private purposes of that description?

Answer. Well, to no extent to interfere with her charter. When making a trip, for instance, if she was ordered to Fortress Monroe, these parties did put on board at one time eight barrels of liquor—bottles in barrels, and two barrels in bulk, to take down to sell; but remember, this was a private speculation, and not known to the other owners of the boat at all. That was done several times. It was continual. They were running with liquor. That was the first cause of difficulty.

Question. It has been done frequently?

Answer. Yes, sir. The last time was at Harrison's Landing, that I know of its being aboard of her. She was on government dock in Baltimore, getting fixed, for twelve or fourteen or fifteen days, and between Acker and Van Valkenburgh they altered some berths into lockers below in her, and filled them with liquors; and they sold some at the White House, and some at other places.

Question. Was the fact that she was used for purposes of this description known to any government officer?

Answer. Major Allen Pinkerton, I think, was aboard of her at one time. He was sick in the cabin at the time at Harrison's Landing, and I don't know whether he knew of it or not. These goods were brought down aboard of her the trip she brought General Marcy to Washington. We brought him up sick at that time. I don't know that the boat came up for that purpose, but General Marcy was a passenger aboard of her, sick at the time.

Question. Do you know of her having made a pleasure excursion?

Answer. Yes, sir; we made an excursion on the first and one on the second of March, down to a rebel battery opposite Mattawoman creek, called Cockpit Point battery.

Question. Was that on private account?

Answer. Yes, sir. It was our own boat. We knew nothing about government then. That was on the 1st and 2d of March. We brought this boat down to run as a sutler's boat to Sickles's division. We only made these two excursions on the 1st and 2d of March. We were about running a regular line betwixt here and there, when the

order came to deliver her at Annapolis on the 6th. That order came on the 2d or 3d of March. That was the month she was chartered.

Question. Those were two of the days for which you were paid by government?

Answer. Yes, sir; we were paid from the first of the month.

Question. Do you know anything about the steamer City of Hudson?

Answer. She belongs to the same owners that owned half of the Metamora, the New York owners.

Question. Do you know by whom she was chartered?

Answer. I do not, sir.

Question. Do you know at what rate?

Answer. It was $600 a day I was told, at the time she was first chartered.

Question. Do you know when she was first chartered?

Answer. Yes, sir; I know the time, but I cannot fix the dates. It was about the time that McClellan was leaving Harrison's Landing that she came to Fortress Monroe.

Question. Where had she been employed?

Answer. She was a new boat, just finished. She was chartered before she was finished, I believe. They got her ready and sent her right off.

Question. What was her cost?

Answer. I understand she cost about $38,000 or $40,000. She is now in the government employ. She has been discharged once and put on again. She has not got the original contract. She is now running between Fortress Monroe and Norfolk.

Question. Do you know at what rate she is chartered?

Answer. No, sir.

Question. Do you know of whom she was chartered either time?

Answer. I do not know who any of the boats were chartered for any more than by Acker's own statement—that is, John Tucker. He has a great deal of business with Tucker. I never spoke to Tucker; I never saw him; and I don't know this, only as Acker told me how he got the boat fixed

Question. In order to charter the Metamora, were you compelled to pay brokerage to any person?

Answer. No, sir. There was an understanding that we should pay it.

Question. How much?

Answer. I don't know whether it was two and a half per cent. or five per cent. First it was two and a half per cent. I thought we were to pay.

Question. Who claimed the five per cent., the $5,000?

Answer. A man named Danforth.

Question. Is his name John T. Danforth?

Answer. I don't know. I did not look. I objected to paying the money on account of the other party having half a dozen steamboats chartered, and my reason for objecting was this, they charged the Metamora $5,000. Some of the other owners of the Metamora objected. They compromised that by paying some three thousand one

hundred and odd dollars, that being taken out of the last payment we received. It was paid to this man Danforth in the St. Nicholas Hotel. Acker came down and showed me the receipt, and said it was paid that day. I objected to paying it, because I thought they were charging the Metamora more than her share, and taking it off of some of their other boats.

Question. On what pretence was it alleged that this was due Danforth?

Answer. It was for getting the boat employed, or rather, it was for taking care of her, keeping her in the government employ. She had something like $6,000 or $7,000 worth of repairs put on her at Baltimore, and it was for favors shown to the boat. That is what they told me.

Question. The boat was repaired at government expense at Baltimore to the amount of $7,000?

Answer. Yes, sir; they told me $6,000 or $7,000.

Question. According to your charter-party, was government to furnish repairs?

Answer. No, sir.

Question. Then this amount of repairs was a gift from the government to the owners?

Answer. Yes, sir. The repairs were put on her there, and we were paid for the number of days she laid on the dock at Baltimore. She was lying there thirteen or fourteen days, and when I objected to paying this, they said no other boat was repaired at government expense. I believe there were other boats repaired, but not paid for the time they laid there. We got paid $450 a day all the time she lay on the stocks.

Question. I understand, then, that Acker claimed that this amount should be paid to Danforth, because Danforth had secured this favor?

Answer. No, sir; Acker was the one that paid the money; but George Powers is the managing man for the company, and he insisted upon paying this man five per cent. Acker objected, or pretended to object. Acker is connected in some steamboats with Powers, and between them they settled it at 3,100 and odd dollars. It was George Powers insisted upon paying him this money.

Question. That was the argument he urged?

Answer. Powers said it was his—that it belonged to him; that they had agreed to give it to him when they chartered the boat and could not get out of paying it.

Question. Is your company paying any per cent. on its charter-party?

Answer. Not at all. I understand that 25 per cent. is taken off of the original charter, but whether it is in the charter I never inquired. Since that liquor business, I have not been near the books for 5 or 6 months, and I don't know whether the 25 per cent. is taken off or not, from my own knowledge The boat's wages were reduced that much, I was told. I presume it is so. They reduced all the boats at that time.

Question. Do you know anything of Acker attempting to obtain and suppress a telegraphic despatch?

Answer. No, sir. I do not. I know that in getting these few extra days up he was attempting to stretch his memory of when the telegraph came, and even went there and inquired, and said, when he started to go towards the telegraph office, "perhaps I can get that despatch now," and he went to look; but this was about dating the boat back to the first of the month.

Question. Who was that despatch from?

Answer. Aleck Shultz and Captain Powers. I think Aleck Shultz telegraphed to us that the boat was chartered and he had seen Captain Loper about it. Shultz was not an owner, but he telegraphed to us that the boat was chartered by Captain Loper. It either came from Shultz or Powers; I guess he was with Powers at the time he chartered the boat.

Question. What was the purport of the despatch?

Answer. I don't know; I never read it. It came to Willards' Hotel, I guess, on the third.

Question. Did the parties tell you what was in it?

Answer. I believe they did; but I forget what it was.

Question. Try to remember, if you please.

Answer. I can't. I know it was in connexion with getting these extra days' pay that we were speaking about it. That is all I recollect. I can't recollect a word of the despatch. It was in relation to the boat dating back to the first—not the despatch, but the conversation. I know one thing about it, that Acker was trying to get at it; I think he was saying he thought he could swear that it was such a day and it was only getting $1,800. I laughed at the idea that he should stretch himself so for a couple of hundred dollars, when several men were standing around that knew it was not so.

Question. Do you know anything about the charter of the vessels for the Banks expedition?

Answer. No, sir. I was down there once or twice while they were chartering them, but I don't know anything about that. Commodore Brunt and Commodore Vanderbilt were there. I know some of the parties were talking to Waddell and wanted boats chartered, and one and another laughed and asked why they could not get such and such boats chartered, and they said the guessed they knew why.

Question. Are you in the ship business?

Answer. No, sir.

Question. Were you ever in it?

Answer. I used to be in Commodore Vanderbilt's employ.

Question Who had the general charge of the transportation here last March, and since last March?

Answer. Well, sir, I don't know who the quartermaster was. Colonel Ingalls had charge of our boat, when she first went into the employ of the government, to superintend the embarkation of the troops at Alexandria.

Question. How happened it that you received this six days' extra pay?

Answer. I don't know. I have never spoken to a man about it to inquire, except those that belonged to the boat.

Question. Who was the agent of your company that made the transactions here?

Answer. There was no writing for our boat. We were not delivered at Annapolis according to the original agreement. When the other boats got paid, we could not get our money because there was no charter—we having been stopped here by the quartermaster. We thought it was wrong. We went up to General Van Vleet, and he said it was all right, if Morgan had stopped the boat. That was his agent. He had stopped the boat at night. The reason they detained her, I suppose, was because the batteries were moved, and all the steamers were brought up here. Those from Annapolis came up here.

Question. When did you receive your first pay?

Answer. Well, at Harrison's Landing we received two months pay. It was after the seven days' fighting there. I don't know what month it was, but I think it was in July. I received my share of it in July. Perhaps he, Acker, had it ten days before I met the boat. I was with the army, and did not meet them until I got to Harrison's Landing.

Question. (By Mr. Morrill.) Do you know what amount, in all, has been paid to the boat? What have been the total earnings of that boat under this charter?

Answer. March, April, May, June, and July; five months, at $13,500 a month, or $450 a day; August, September, October, November, December; five months, at $337 a day. You can figure it from that. When we paid this commission we understood we were paying so much on $100,000; the boat had earned over $100,000.

Question. You manned it?

Answer. Yes, sir; we manned the boat, and our boat has been rather expensive. We have furnished a good many liquors for parties aboard. At Harrison's Landing we were for McClellan's staff, and a good many officers were aboard; and we were running flags of truce. The boat's expenses to us would average about $30 a day; in ordinary business, about $25 a day. The government finds the pilots. We man and provision it, and it costs about $30.

Question. The profit then would be about $420 a day?

Answer. Yes, sir.

Question. A very profitable business?

Answer. Yes, sir. This company have a lot of boats—the Connecticut, the Long Branch, the Highland Light, the City of Hudson, the South America, and some other boats whose names I don't know; the Sylvan Shore also has just arrived, and I guess she is chartered. I heard Mr. Powers speaking about buying her a week or ten days ago. I see she is lying here. I suppose she is chartered.

Question. (By the chairman.) Do you know anything about the manner in which these gentlemen of that company conduct their business?

Answer. No, sir.

Question. Do you know with whom they make their contracts for transportation?

Answer. With Mr. Tucker, sir.

Question. Did they make that contract with Mr. Tucker, or through some intermediate agent?

Answer. I don't know. I never made any inquiry.

Question. (By Mr. Morrill) Do you speak of these boats as belonging to one company?

Answer. They belonged to the company that owns the other half of the Metamora. We are three sutlers that bought half of this boat to run her up and down the river. When this boat was chartered they got all the others chartered. The Connecticut runs between New York and Hudson City, on the Hudson river.

Question. (By the chairman.) Do you know any other facts that it is material for us to know, in regard to government transportation?

Answer. I do not, sir. I don't know anything about any boats except the Metamora, and the matters connected with it.

Question. Have the boats been as profitable as that as a general thing?

Answer. The South America is an old boat.

Question. In what employment were you engaged before going with the army?

Answer. I was in Commodore Vanderbilt's employ for a year or two. I was agent for him in the California line.

Question. Do you consider yourself a judge of vessels?

Answer. No, sir. I have been to sea for four or five years, but I am not a judge of vessels.

LEWIS BAKER.

NEW YORK, *Tuesday, December* 30, 1862.

JOHN P. ACKER, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and occupation?

Answer. I make my home here, (St. Nicholas Hotel, New York.) I have a place up in the country at Stuyvesant, Columbia county. I have made my home here since 1850, when I opened a house.

Question. Have you been employed or interested in furnishing transportation to the United States army during the present insurrection?

Answer. Yes, sir.

Question. What vessels are you interested in?

Answer. I am interested in the City of Hudson and the steamboat Metamora, and some few boats that have been chartered within a few days—the Highland Light and the Monitor.

Question. Who was the agent with whom you made the contract for the City of Hudson?

Answer. Captain Hodges, the quartermaster here.

Question. With whom did you contract for the Metamora?

Answer. With Capt. Hodges.

Question. Who contracted for the Monitor and the Highland Light?

Answer. Well, those I did not charter, but I have an interest in

ıem. I chartered two boats. The City of Hudson is in my name, nd the Metamora is. The Highland Light I don't know about. [r. Martin, of Hudson, chartered her. I have a small interest in er.

Question. Who are interested in the City of Hudson with you?

Answer. The Hudson belongs to a company that run boats between [udson and Albany. It is a stock company. It is between Albany nd Hudson, or Cattskill, six miles below Hudson. They have been ınning for several years. The company is composed of Milton [artin, Mr. Magoon, of Hudson, a lawyer, whose first name I don't now, and Mr. Alanson, of Albany.

Question. At what time did you charter the city of Hudson?

Answer. August 17th, 1862, for 30 days.

Question. Then the charter has expired?

Answer. No, sir; she kept on. They chartered them for 30 days, ith the privilege of keeping them.

Question. At what rate?

Answer. The first charter for the Hudson was at $500 a day; since hen they have reduced it to $350.

Question. Who took her up the second time?

Answer. She was taken up at Fortress Monroe, by Quartermaster [ompkins, under Gen. Meigs. She is now employed between Old 'oint and Norfolk as a mail-boat.

Question. Who is interested with you in the Monitor?

Answer. Capt. Powers, and Mr. Martin, and Capt. Loper, of Philıdelphia; I think he has a small interest in her.

Question. Who in the Highland Light?

Answer. Mr. Martin. Mr. Powers, he belongs to the company, oo, and the two Hudson men; and Capt. Loper has a small interest n her, I think.

Question. At what rate?

Answer. I don't know. I understood that it was $300 a day for he Monitor and Highland Light each.

Question. Who was the ship's husband, or the man who chartered t as agent of the company?

Answer. Captain Powers.

Question. Who were the owners of the Metamora?

Answer. Our company owns half of her. Half of her is owned y R Van Valkenberg and Richard Platt. We sold half of her to hose gentlemen.

Question. When was she chartered?

Answer. She was chartered last March.

Question. At what?

Answer. At $400 a day.

Question. Is she still employed by government?

Answer. Yes, sir, she is employed around Fortress Monroe as a flag f truce boat.

Question. Where are the Monitor and the Highland Light emloyed?

Answer. At Washington, between there and Acquia creek. They ave only been there a month.

Question. What is the tonnage of these vessels?

Answer. The Hudson is about 500 tons. The Metamora is about 425 to 450, I think. The Highland Light about 450 to 500 tons. The Metamora is reduced twenty-five per cent. since, which gives $337 a day.

Question. Do you furnish the navigators, men, laborers, &c.

Answer. Yes, sir. We furnish all the crew, laborers, &c.

Question. Have you been interested in any others?

Answer. No, sir, no others until to day. We sent one off to-day The government sent here for an ice boat, a heavy built boat for ice I happened to be in Commodore Van Brunt's office, and he asked m where he could get such a boat—a staunch boat to carry freight an keep the Potomac open, if possible. I said I would look, and I looke around for two days until I found one I thought would answer. H said he thought she would, and desired me to fix her up. I hav been at it for two days, or had my men at it. She is sheathed wit heavy plank and iron. They have been at work upon her for the las fifty hours day and night. She went off to day at 11 o'clock for th Potomac. I have been on the river before I commenced this hous (St. Nicholas Hotel.) I fitted up the old Isaac Newton and othe boats. I have been steamboating a good many years and kno something about it. From there I came to this house. I know abou all the boats on the rivers. I had this boat fitted up just to take he out there. General Meigs had sent on for such a boat, and she wen to-day. But there has been no charter made for her yet, and n price fixed for her. General Van Vliet left it to me. I told him would get the boat, and I told him to give whatever he though proper. The steamboat is called the John Brooks, and is about 1,00 tons. She went before in government employ at $800 a day. Tha was last spring, in General McClellan's expedition.

Question. By whom was she chartered?

Answer. By Captain Hodges.

Question. Have you or your company found it necessary, in order to effect your charters with government, to pay commissions to any agents or go-betweens?

Answer. I have not.

Question. Has your company?

Answer. No, sir. As I am a husband of these boats I have not paid out anything.

Question. Was anything paid to anybody to secure favorable term for the City of Hudson, or to induce any government agent to retain her in the government employment.

Answer. No, sir.

Question. Was anything ever paid for the same purpose for th Metamora?

Answer. No, sir.

Question. Did your company ever pay to a man named Danforth any money?

Answer. No, sir.

Question. For any purpose?

swer. No, sir, I have not. I answer now for the Metamora and ity of Hudson.
estion. Do you know of a percentage having been paid by any ı who chartered vessels to government?
swer. I have heard of such. I heard it reported around last g or last summer that such was the case.
estion. Do you know it of your own knowledge?
swer. No, sir, I do not.
estion. How much has your company received as pay for the of Hudson?
swer. She has been there since the 17th of August. She was about six weeks, under the charter of $500 a day. The balance time she has been there at $350 a day.
estion. What is the expense of running her?
swer. I should judge that the expense of running her was about day, from that to $100. We have run her for $75, but it costs now. We used to get our men for about half what we give for now there.
estion. What is her value?
swer. She cost us about $60,000.
estion. How much have you received for the Metamora.
swer. She has been there ten months the first of January. Part time, up to August 1, she was getting $450 a day.
estion. What did it cost to run her?
swer. About the same, sir.
estion. I understood you to say you have been getting $337

swer. Yes, sir.
estion. When was that charter-party on the Metamora com-ed?
swer. On the first of March.
estion. Did you deliver her to the government at that time?
swer. No, sir; she started from here in February, and was used ; she ran a while on the Potomac, and the government took her she was then around at Washington.
estion. Do you know the day the government took her up?
swer. I think it was the 28th or 29th when the order came, sir; hen we had to fit her up. It was some two days before she went rk, but we were getting her ready—getting her water and coal. ad to get casks there. It took her about two days to get to work. k the Navy Department took her one day to go down to Acquia . It was some two or three days before she was taken.
estion. I understand the charter-party is dated March 1st.
swer. Yes, sir.
estion. Did your pay commence at that time?
swer. Yes, sir.
estion. Has she undergone repairs since then?
swer. Yes, sir.
estion. Where?
swer. At Baltimore.
estion. To what extent?

Answer. I should judge that the whole of the repairs must have come to about $2,200 to $2,500; I cannot say exactly.

Question. Did the company pay for these repairs, or the government?

Answer. The government paid for them.

Question. How long was she in the yard?

Answer. She was there ten days.

Question. Did your charter-party continue then, and were you paid for that time?

Answer. Yes, sir.

Question. How came Captain Loper interested in these boats?

Answer. I don't know. The Monitor was a new boat, and he bought an interest in her with Captain Powers.

Question. Did Captain Loper live here?

Answer. No, sir; he is a citizen of Philadelphia.

Question. He bought an interest with Captain Powers?

Answer. Yes, sir; he bought an interest in her just the same as I did. Captain Powers built the boat. She is a new boat.

Question. Do you know what he paid for his interest? How large is his interest?

Answer. That I could not say. Whether it is one-sixth or one-fifth or one-seventh or one-eighth I don't know.

Question. What did either of these boats, Monitor and Highland Light, cost?

Answer. I don't know what the Monitor cost. The Highland Light cost about $35,000. She cost about $32,000, and, then, the repairs made about $36,000.

Question. What was the value of the Metamora?

Answer. The value of the Metamora was about $25,000. I bought her last winter to run her up to Albany. The parties were in difficulty, and she had to be sold, and we bought the boat at a very low price.

Question. Where is the Highland Light used at this time?

Answer. She is used between Acquia creek and Washington city, I understand. She has been gone about three weeks.

Question. Do you know of the Metamora having been used, while she was in the employ of the government, for the private purposes of any of the stockholders?

Answer. No, sir.

Question. Do you know of her transporting private supplies for sutlers and others to Harrison's Landing, or anything of the sort?

Answer. No, sir. Still she might have done it without my knowing it, as I was not there.

Question. Who directed the repairs that were put upon her in Baltimore?

Answer. Major Belger.

Question. I understand you to say that neither you nor your company have ever, directly or indirectly, paid, or promised to pay, nor do you hold yourself under any obligation in equity or law to pay, to any person, any sum of money or property in consideration of his

or their having assisted you in securing a contract, or in securing favorable terms, of any description whatever.

Answer. I have not paid anything, sir, to any gentleman; that is, no commission at all. As to the repairs on the Metamora, I will say this to you: the order was given for her repairs by the government in this way: she run from Fortress Monroe over to Cherry Stone inlet; she carried despatches for the government before the telegraph was laid there; she made two or three trips a day across there; it is a very dangerous place, boisterous and rough; at one time she was ordered to go when no other vessel would go. Mr. Tucker was there one night and ordered her to go out, but the captain refused to go; Mr. Tucker said the Baltimore despatches must go, and if the vessel was damaged, he said, "I will see that the government pays it;" she went out, and she was strained and damaged; Mr. Tucker said, "I think it is no more than just and right that government should pay this expense; your time shall not be lost, and she shall be repaired;" she was only gone ten days, as the records will show; I employed a man last spring in Washington, for a while, to see to my affairs there which I could not attend to, among other things, the Metamora, for which I paid some $200.

Question. Who was that man?

Answer. Captain Schultz. I paid him for seeing to the boat for a couple of months, which amounted to a few hundred dollars, and which I paid him; his name is E. Schultz; he was an agent which the company authorized me to employ to see to the boat; I did not call it the company; I asked him to assist me and see to the boat, which he was kind enough to do, and I made him a present of some amount; I think it was some four or five hundred dollars, along in April or May; I look upon that as nothing more than what is right; some might call that a commission; I do not; I asked him to see to our business, and he did so.

WASHINGTON, *Friday, January* 30, 1863.

JOHN P. ACKER, recalled, testified further, as follows:

Examined by the chairman.

Question. Were the charter-parties of the City of Hudson and the Metamora signed by Captain Hodges?

Answer. They were.

Question. Were the terms upon which they were to be chartered determined by Mr. Tucker?

Answer. No, sir.

Question. Were they in the case of the Metamora?

Answer. Yes, sir; they were.

Question. Was it not so with all these vessels?

Answer. About the City of Hudson I cannot say.

Question. Mr. Tucker directed and Captain Hodges executed?

Answer. I did not see Mr. Tucker about the City of Hudson at all, but I presume Captain Hodges had his orders from Mr. Tucker.

Question. Is Captain Loper interested in the City of Hudson?

Answer. He is not, sir. She is owned entirely by the Hudson and Albany Steamboat Company. She runs from Cattskill.

Question. Did Mr. Tucker direct the repairs to be made upon the Metamora?

Answer. He did. The following is a copy of the letter in which he gave the direction:

"FORT MONROE, *May* 16, 1862.

"DEAR SIR: The steamer Metamora was called upon to perform some extra-hazardous service, in doing which she sprung her guard, and otherwise strained herself. She will be sent to Baltimore in a day or two for some repairs of her hull, rendered necessary by this service. It is the opinion of all the officers here who know the circumstances (in which I concur) that the cost of these repairs should be borne by the government. You will please have her repaired *as soon as possible*, and return her here, as she is most useful.

"Yours, respectfully,

"JOHN TUCKER,
"*Assistant Secretary of War.*

"Major J. BELGER,
"*Assistant Quartermaster, Baltimore.*"

Question. State now, if you please, whether you, as the ship's husband of the Metamora, or any other boat, or as the owner or part owner, paid any commission, fee, or reward, or promised any to any person for his services in connexion with securing charter-parties for you?

Answer. None at all, sir, except the money I paid Schultz, as I said to you before, and to Mr. John Danforth.

Question. Who is Danforth?

Answer. John B. Danforth lives in New York; he makes his headquarters at the Brevoort House. He says be takes his meals there. He rooms near by there; he is to be found there. He also, I believe, is a farmer in Westchester county. and he has some dock property in New York. I can now state that I paid him, by the order of my board of directors, about $3,000. It was three thousand and some hundred dollars; I forget just the exact amount which he claimed. It was for commissions upon the Metamora, which one of my associates had promised to pay, which I knew nothing about; and I protested against paying it, but he urged me to pay them, and I was obliged to do so.

Question. By a vote of your directors?

Answer. Yes, sir, by a vote of the majority of our directors. They told me I must pay it. His claim was more, but they compromised it by paying some three thousand dollars.

Question. What did he claim it for?

Answer. He claimed $5,000, which he said one of the parties had promised him.

Question. Captain Power?

Answer. Yes, sir; and which I knew nothing of at all. I was in Washington at the time.

Question. That was the only money of the kind you ever paid?

Answer. Yes, sir; that and to Schultz.

Question. Or ever promised to pay?

Answer. Yes, sir; and since I have not paid one dollar as commission on any of my boats, or boats that I am connected with.

Question. Where does Captain Power live?

Answer. George H. Power lives at Hudson. I believe Danforth told me he received something upon the Brooks and the Kent. The Kent was chartered by Mr. Tucker of a man named Brett. The Brooks was owned by Mr. Smith, and a company of seven or eight or nine others, of which he is president. Captain Brooks, of Bridgeport, Connecticut, owns part. I think I heard him (Danforth) say he got some commission on her. I don't know whether he said one thousand or not, but I know he got some, and was promised some more. I don't know how much he got on the Kent. Those were the only two I ever heard him say anything about. What Captain Powers is getting I cannot say. I know he is getting some commission. Mr. Chapin, I believe, objected to paying this. I believe it was claimed because he introduced him to Mr. Tucker.

PHILADELPHIA, *Friday, January* 2, 1863.

WILLIAM M. BAIRD, being duly sworn, testified as follows:

Examined by the chairman.

Question. Where is your place of business, and what is your occupation?

Answer. My principal occupation is agent for the Philadelphia Steam Propeller Company. My business is and has been between Philadelphia and New York. My place of business is at 132 South Wharves street, on Delaware avenue.

Question. Have you a partner?

Answer. I have not, sir; although the title is "William M. Baird & Co." I have no partner in business.

Question. State, if you please, whether or not you have furnished, during the last year, any transportation to the United States army.

Answer. I have not directly, sir; although this company that I am attached to has furnished a number of steamers for that purpose.

Question. Have you furnished them as the agent of the company?

Answer. No, sir.

Question. Who has been the agent through whom the charters were made to the government?

Answer. I think probably through Captain Loper. The charters have been made through him, although I signed some of the charter-parties as treasurer of the company.

Question. Did you state who your partner was?

Answer. I said I had no partner, although I carried on the business in the name of William M. Baird & Co.

Question. Is Mr. Loper a partner of yours?

Answer. He is not.

Question. Has he ever been?

Answer. He has.

Question. When did your partnership cease?

Answer. I think it must have been six or eight years ago.

Question. What is Mr. Loper's full name?

Answer. Richard F. Loper.

Question. Do you do business at the same office?

Answer. He has an office above me in the same building. I might say in this connexion he is president of our company.

Question. State what vessels were chartered by the company of which you are a member to Captain Loper, as the agent of the government. What vessels belonging to the transportation company, of which you are the treasurer, were chartered by the government?

Answer. I do not know that he is or was agent of government. There have been a number chartered to the government, the steam propeller Planet, the steam propeller Sophia.

Question. The steamer Alger and the John R. Thompson?

Answer. No, sir.

Question. The Oneida?

Answer. There was a barge called the Oneida that went down temporarily for a short period, I think with coal.

Question. Was that in April, 1861?

Answer. I think it was about that time.

Question. The steamer New York?

Answer. No, sir; that belongs to the express company.

Question. The steamer Middlesex, was she let to the government?

Answer. Yes, sir; she is a barge. She was let for a short period; the steamer Planet and the steamer Josephine.

Question. Have you any connexion with the Baltimore and Philadelphia Steamboat Company?

Answer. I have not.

Question. Has Captain Loper?

Answer. I don't think he has. I don't know it in any way.

Question. Have you or Captain Loper any interest in the Philadelphia Express Steamboat Company?

Answer. We did have, in the organization of that company. There were to be four boats sold to them originally that formerly composed part of our line. It would require that I should go into a little history to explain that. We formerly had an exclusive line on the Delaware and Raritan canal for the carriage of merchandise, and the canal company gave that privilege to this express line that was formed. That was the title of the company afterwards, and we let them have four steamboats at a fixed price, and we were to take so much stock of their concern. I think it was $15,000 or $20,000 that our company was to own in the other company, although I have never seen any of that stock yet.

Question. How long ago was that contract made?

Answer. This is the second year, sir; it was made in either 1860 or 1861. I think it was in 1860.

Question. Who was to have that? you and Captain Loper?

Answer. No, sir; the Philadelphia Steam Propeller Company.

Question. Of how many is that company composed?

Answer. I suppose there must be, maybe, a hundred or more stockholders.

Question. You are one of the stockholders?

Answer. Yes, sir.

Question. Mr. Loper is another?

Answer. Yes, sir.

Question. What amount have you?

Answer. A little over $20,000.

Question. What amount has Captain Loper?

Answer. He did have $60,000 or $70,000. Mr. Thomas Sparks is one of the stockholders, and has $40,000 or $50,000.

Question. Did you or Captain Loper have any interest in the New York and Baltimore Transportation Line?

Answer. No, sir.

Question. Do I understand the Oneida, the Middlesex, the Planet, and the Josephine to be what are called barges?

Answer. No, sir; the first two, the Oneida and the Middlesex are barges, and the others are steam propellers.

Question. What is their tonnage?

Answer. I do not remember the tonnage. I think the registered tonnage of the Middlesex is 135 or 140 tons; probably she might carry 140 tons of coal.

Question. Are you interested in any boat, steamer, or sailing vessel now in the employ of the United States government?

Answer. I am not, sir; but I am only interested as a stockholder in any boats that have been in government employ.

Question. Are those boats still in the employ of the government?

Answer. Yes, sir; some of them are.

Question. State what ones, in which you are interested, are now in the employment of the government.

WITNESS. As a stockholder?

The CHAIRMAN. In any way.

Answer. I am only interested as a stockholder at the present time. The Middlesex is not now in. I do not know whether I can recall the names from memory; the Josephine, the Planet. If I had a list it would refresh my memory.

Question. The Oneida?

Answer. No, sir; she is not in.

Question. The Middlesex?

Answer. No, sir, she is not in. The Planet is here at the present time, but I cannot speak with certainty whether she is now employed or not.

Question. Have they been employed by the government since April, 1861?

Answer. Yes, sir; I guess the Josephine and the Planet have been in ever since 1861.

Question. Are they continued upon the same charter-parties that were then executed?

Answer. Well, sir, I am really a little at fault there; I cannot tell you, sir.

Question. Do you know what amount the government is paying you for the Planet per day?

Answer. I do not, sir.

Question. Or for the Middlesex?

Answer. The Middlesex, I think, was paid something like fifteen or twenty dollars a day when she was employed.

Question. It was thirty dollars.

Answer. Was it? She is not employed now. It was only a temporary employment for a short period.

Question. Is she in the employment of the government now?

Answer. No, sir.

Question. Is the Josephine still employed?

Answer. Yes, sir.

Question. What is her tonnage?

Answer. Her tonnage I don't recollect, but I suppose that vessel would carry about 225 or 250 tons.

Question. She was chartered on the 29th of April, 1861; has she been continued ever since under the same charter?

Answer. I think she has, sir; there was a little period that I did hear that they had reduced some of the charters, but I do not know it.

Question. Would you not, as treasurer of the company, know it, if they reduced it?

Answer. The president might sign it or I might.

Question. Would it not be reported to you?

Answer. I have not had a very full account of the company's affairs under these charters. There was some little delay in the collections; they were not embodied in the accounts last year—a great many were not.

Question. Have you acted as the agent for any other parties?

Answer. I have not.

Question. Do you know what vessels Captain Loper is interested in now that are in the government employ?

Answer. No, sir.

Question Do you know of any?

Answer. No, sir. I see vessels all around me, but I cannot tell, because I have never asked the question. He is a brother-in-law of mine, I might mention here, but I have never asked him any questions.

Question. Has he not told you?

Answer. No, sir; he has not given me any information on that subject at all, and I have not asked him any questions. It was not voluntary on his part and I have not asked.

Question. I understand you to say that no vessel in which Captain Loper is interested—

WITNESS, (interposing.) No, sir, I would not state that; I do not know either way; I do not know whether he has or has not. I presume that he is interested in vessels, but it is only presumption.

Question. Do you know?

Answer. I do not know.

Question. You say you know of no vessel in the employment of the United States government in which Captain Loper is interested?

Answer. Let me qualify that, sir. There is a steamboat here called the Burnside that has been employed by the government, (and I think used, although I have had no direct intimation of it,) in which he was interested to the extent of one-sixth or one-fourth. There may be other vessels in the same way, but I do not know it as a matter of fact, or

as a certainty It is said that he is interested to the extent of a quarter in this Burnside.

Question. Do you know of his having any interest in the Monitor?

Answer. I never heard of it.

Question. Do you know of his having any interest in the Northern Light?

Answer I never heard of it.

Question. Do you know of his having any interest in the Metamora?

Answer. I never heard of it.

Question. Do you know of his having any interest in the City of Hudson?

Answer. I have never heard of it, sir.

Question. Did he ever tell you that he had an interest in any vessel other than these?

Answer. No, sir.

Question. Not as president of the company?

Answer. No, sir. He may have an interest in them all for aught I know.

Question. Has he never stated in your presence that he had?

Answer. No, sir.

Question. Have you never received any amount or any percentage upon vessels chartered to the United States government?

Answer. I have not, sir. Let me qualify that a little, sir. In making up my monthly accounts with our company, I did put in an item, "commissions on account of charters, $450" for the month. They were taken from my business, as agent, running between this and New York, and chartered to the government, and, upon consultation with some of the stockholders, it was thought that I should have a commission, as my business had been interrupted and interferred with by this transfer to government of these vessels; and, hence, I charged on account of commissions that amount, $450, every month of last year that these vessels were employed.

Question. Have you, directly or indirectly, through yourself, or through another, received any sum of money, or any advantage, pecuniary or otherwise, from the charter of vessels, except as you have stated in your testimony?

Answer. No, sir.

Question. Do you know what connexion Captain Loper has with these contracts?

Answer. I really have not the slightest idea, sir.

Question. Do you know of his being interested in any way, directly or indirectly, with A. C. Hall, of Baltimore?

Answer. I really know nothing about it, except that Mr. Hall supplied some of these vessels down there with supplies, and they drew on me for small amounts, not exceeding $100 at a time, and for little advances made by him to the captains.

Question. Do you know of no other connexion between Mr. Hall and Captain Loper?

Answer. I do not, sir.

Question. Do you know of any connexion between Captain Loper

and Mr. Powers, of Hudson, New York, or did you ever hear Captain Loper say he had any connexion with Mr. Powers?

Answer. I do not know it, sir. I never have heard of it.

Question. Or with a Mr. Martin?

Answer. No, sir.

Question. Or a Mr. Acker?

Answer. No sir.

Question. Nor any other party or persons?

Answer. No, sir.

Question. Did you ever say or admit to any person that you had made or received as part of your compensation in connexion with these vessels eleven thousand dollars?

Answer. No, sir. I have received a dividend, sir, from the concern.

Question. From the charter of these vessels?

Answer. I presume it runs in that way, of something, ten or twelve thousand dollars.

Question. A dividend, as a member of the company?

Answer. Yes, sir. But as regards my telling that I had received directly eleven or twelve thousand dollars, I do not know any other way that I could have received it.

Question. Was that an equal *pro rata* dividend made among all the stockholders of your company?

Answer. Yes, sir. So I understood it.

Question. These vessels that were chartered in April, 1861, were chartered by your company?

Answer. Yes, sir

Question. Of which you are the treasurer?

Answer. Yes, sir.

Question. Of that company Captain Loper is president?

Answer. Yes, sir.

Question. I find by the report submitted to the Senate by the Secretary of War, on the 24th of March, 1862, that Captain Loper was the party through whom they were chartered. How does it happen that Captain Loper was acting both as the agent of the government and as the agent of your company?

Answer. I do not know, sir.

Question. Did Captain Loper, to your knowledge, receive any compensation for his services in this connexion?

Answer. I do not know that he has received anything from us yet, sir.

Question. Not from you, but I ask if he has received anything from the government?

Answer. I do not know.

Question. Have you never heard him say?

Answer. No, sir. I have no knowledge of what he has received or anything about it.

Question. Do you know who constituted Captain Loper the agent of the government to charter these vessels.

Answer. I really do not, sir.

Question. Is the steamer Sophia, belonging to your company, still in the employment of the government?

Answer. I think she is, sir.

Question. Is the steamer Thomas Sparks?

Answer. Yes, sir.

Question. Is the steamer H. Burden?

Answer. She has just started from here, sir, under a charter from Bishop, Simons & Co., on Arch street; she just started some four or five days ago to tow down some coal.

Question. Were Bishop, Simons & Co. acting as agents of the government?

Answer. I don't know whether they are acting as agents. They are taking up vessels, and those were taken up. We had some three or four other vessels on our line to New York, and they have been all taken. Most of the steamers about here have been taken up recently for this purpose.

Question. Who has taken them up?

Answer. I understand the owners acted only with Bishop, Simons & Co. I have referred all our barge captains for charters to this house.

Question. How are freights at this time, compared with what they were in the spring and summer of 1861? What have been the comparative value of charter-parties?

Answer. Just at present the demand is very great for steam. I should suppose that at the present time steam was fully as valuable and may be more valuable than in 1861.

Question. How was it in February, 1862—nearly a year ago?

WITNESS. Do you mean for vessels plying on the river here?

The CHAIRMAN. Yes, sir; such vessels as those belonging to your company. Are they higher or lower now than they were then?

Answer. I do not know. I have had so little to do with this business that I really cannot tell you. I can answer generally, that steam now is very valuable, and almost any kind of vessel can procure business, if they have steam in it.

Question. At what rate are you now receiving pay for the Thomas Sparks?

Answer. Well, I do not know, sir; I do not exactly know what it is. I must say I have not examined, nor have I the custody of these things, and I cannot give you that information. I believe she was originally chartered at about $160 or $170, but I do not know. It would be only guess-work on my part, although I signed the charters of some of them.

Question. Does the steamer P. T. Hart belong to your company?

Answer. She did originally, but was lost. She was called the Fanny, but her name was changed. It strikes me that the smaller craft of these vessels—those carrying from 100 to 150 tons—were let for about $135 to $140; the larger vessels of from 150 to 200 tons run up to $175 or $200.

Question. You say you do not know when Mr. Loper was employed, nor by whom, to act as the government agent?

Answer. I do not know, sir.

Question. You do not know of any interest that he now has in any transportation of the government, except through this company?

Answer. None, with the exception of this Burnside, and that is hearsay. He may have twenty others, but I do not know it.

Question You know of no interest that he has as a partner of any broker or agent who is furnishing transportation to government?

Answer. No, sir.

Question. Neither of your own knowledge nor by information?

Answer. No, sir; I expect he will realize and I presume the company will allow him some commission for collections. It is the general belief that that is the intention, sir.

Question. What dividend did your company make the last time it was declared?

Answer. The last time we made a dividend I realized fifty per cent.

Question. Fifty per cent. for how long a time?

Answer. For one year.

Question. What did you realize last year?

Answer. We generally range from ten to twenty per cent.

Question. What was it last year?

Answer. That was the one I spoke of—fifty per cent. That was the largest dividend I ever realized.

Question. When was that declared?

Answer. We got it some two weeks ago.

Question. Commencing at what time, and ending at what time?

Answer. Some of these charters were not engrossed in last year, and the profits go into this year, the president stated, and that it was to be divided among the stockholders.

Question. What was it the year before?

Answer. I think it was ten per cent.

Question. What was it the year before that?

Answer. It may have been ten.

Question. What was it the year before that?

Answer. It may have been twenty, sir, but possibly ten. We have made as high as twenty-five, but not at any time lower than ten, sir.

Question. What reserve fund did you have when you declared your fifty per cent.?

Answer. Well, sir, that account has not been settled.

Question. About what amount is it?

Answer. I cannot tell.

Question. What do you estimate it at?

Answer. It is a fund, sir, that I do not know much about.

Question. If I were one of the stockholders, and asked you, when the dividend was made, what the reserve fund was, would you not be able to make an estimate?

Answer. I would in February. The intention is to have the account all up in February. That is the time of the general stockholders' meeting, and then all these matters will be brought up. As far as the reserve fund is concerned, at the present time, I cannot tell you. By resolution of our board of directors, in reference to our current income for our company, the president heretofore has drawn on our agent in New York; if there was a balance on the month's business, he would draw on him for that balance.

Question. Is it your opinion that there is 50 per cent. left in the reserve fund, or that the reserve fund will yield 50 per cent. more?

Answer. I cannot say that, sir.

Question. But is that your impression?

Answer. My impression, or my hope, is that it will.

Question. It it your impression that it will yield one hundred per cent?

Answer. No, sir.

Question. Seventy-five?

Answer. If I would fix the amount, if you will allow me, I would say twenty-five per cent. I cannot say for a certainty, for I have no data about what the reserve fund is.

Question. Do not the treasurers of companies generally have some data upon which to base a calculation of that kind?

Answer. They do, sir; but, as I remarked to you, by resolution of the board of directors the moneys of the company were placed in the hands of Captain Loper.

Question. When was that resolution adopted?

Answer. It has been ever since the company was established—that was some ten or twelve years ago. All the moneys have been in his hands, and he pays the dividend.

Question. Have you any directors?

Answer. Yes, sir.

Question. The directors, then, have no business with your company?

Answer. They do, sir.

Question. What do they do?

Answer. They generally meet and talk over matters, and at the end of the year they examine the account thoroughly; the vouches are presented, &c.

Question. The whole transaction of the business is left in the hands of Captain Loper?

Answer. The running transactions. The money matters are left with him.

Question. As I understand you, he has the entire control of the money until the expiration of the year.

Answer. Yes, sir; then we make up a synopsis of the entire business and submit it to the directors, or others who feel a disposition to examine it.

Question. What is the capital of your company?

Answer. Our capital is $350,000.

Question. Did you say there were sixty stockholders, or one hundred?

Answer. I said I thought about sixty; I never counted them up; there is quite a number of them.

Question. Have you created any new stock recently?

Answer. No, sir. Some two or three years ago we applied to the legislature for an increase of stock, and that was granted. We increased it at that time up to $350,000. It was originally $200,000. That has been some three years ago.

Question. You say Captain Loper has $60,000?

Answer. Yes, sir; he did have at that time. I think it was last year reduced to $60,000 or $70,000. Previous to that he had considerable more than that; I think upwards of $100,000.

Question. When did he reduce it?

Answer. I think he reduced it in making up the estimate for the stockholders at the last meeting.

Question. Do you know to whom he sold?

Answer. I do not. It may be he did not sell a share, sir. It may be that I am mistaken as regards the amount. I have not examined lately, sir; it has been a year, sir, since I looked at it.

Question. How could you make the dividend if you did not know who the stockholders were, and the amounts they had?

Answer. I suppose the books will show exactly who we paid the dividends to, and all about it.

Question. How many vessels belong to your company.

Answer. I think we have seventeen steam propellers.

Question. What other property belongs to you? Any real estate?

Answer. No, sir.

Question. Any wharves, or anything of the sort?

Answer. No, sir.

Question. Does it consist wholly of propellers?

Answer. Yes, sir; and a few barges—some five or six barges.

Question. Are they steam barges?

Answer. No, sir; ordinary barges.

Question. Are they used mostly for the transportation of coal?

Answer. No, sir; we use them for merchandise. We sometimes take them in tow with one of the propellers, and tow them through the canal.

Question. What is the value of the steamer Sparks, and how old is she?

Answer. The original Thomas Sparks may be some seven or eight years old. Some two years ago we cut her in two. She was more of an experiment than anything else in the first place. She was built 220 feet long to run through the canal. We found she was too long, and cut her in two, and made two vessels, making one 160 or 170 feet long, and the other into a vessel of about the same length. That has been some three years ago.

Question. I asked her value.

Answer. I suppose the value of the Sparks is about $22,000 or $25,000.

Question. What do you estimate the value of the Oneida to be?

Answer. The Oneida is a barge, and may be worth three or four or five thousand dollars; I hardly think she is worth as much as five thousand dollars. She is an old barge.

Question. Was there ever a steamer Oneida belonged to your company?

Answer. I do not recollect now whether the engine was taken out of her or not. There were one or two of those barges that were propellers originally, and the engines were taken out and transferred to other vessels, but I think she has always been a barge.

Question. What did you let these barges at to the government per day?

Answer. You said $30. I supposed it was a little less than that; I do not know what it was. They are now letting some of these that they call Schuylkill barges. They are now getting about $12, $15 to $20 per day for those Schuylkill barges.

WM. M. BAIRD.

PHILADELPHIA, *Saturday, January* 3, 1863.

STILLWILL S. BISHOP, being duly sworn, testified as follows:

Examined by the chairman.

Question. State the name of the firm of which you are a member, your place of business, and your profession or occupation.

Answer. I am a member of the firm of Bishop, Simons & Co., general commission merchants and ship-brokers, 105 Arch street, Philadelphia.

Question. Have you or has your firm been engaged, either directly or indirectly, in procuring transportation for the army of the United States?

Answer. Yes, sir.

Question. When did you commence that business?

Answer. We commenced as ship-brokers directly after the war commenced.

Question. Were you acting as the agent of the government, or the agent of the owners of the vessels?

Answer. We were acting as the agents of the owners of the vessels.

Question. Did you charter any vessels belonging to yourselves?

Answer. No, sir.

Question. What character of vessels have you been in the habit of chartering—sailing or steam vessels?

Answer. Sailing vessels principally.

Question. How many vessels have you chartered to the government?

Answer. I could not answer that question now.

Question. To whom did you charter them?

Answer. I chartered to Mr. Tucker when he was transportation agent, and to Captain Hodges, the quartermaster.

Question. Where was Captain Hodges quartermaster.

Answer. He was located at that time at New York, but was taking up vessels for the McClellan expedition at this place.

Question. Who is Captain Hodges?

Answer. I understand him to be assistant quartermaster of the United States army.

Question. To whom else did you charter?

Answer. To Captain Boyd, assistant quartermaster of the United States army located here.

Question. When did you make your last charters?

Answer. The last charter was made for a special purpose yesterday.

Question. For what purpose?

Answer. For the transportation of coal from here to Washington and Alexandria.

Question. Who authorized you to make that?

Answer. Captain A. Boyd.

Question. State, if you please, the names of some of the vessels you have thus chartered.

WITNESS. Recently?

The CHAIRMAN. At any time—steamers and sailing vessels.

Answer. The steamer Beverly, a propeller; the steamer New York, the steamer Ironsides, the steamer Vim, the steamer Bristol, the steamer Anna Liza, the steamer Concord, the steamer Black Diamond.

Question. Are those all the steamers that you have chartered up to this time?

Answer. That embraces about all up to this time.

Question. Since the war began?

Answer. No, sir, recently; those are merely chartered for carrying coal and towing barges to Alexandria and Washington, under a ten days' charter.

Question. Have you chartered any sailing vessels recently?

Answer. None recently, sir.

Question. What steamers have you chartered previous to those you have just named?

Answer. I could not give you that information unless you would allow me time to answer it from my office.

Question. Is Captain Boyd stationed here now?

Answer. Yes, sir.

Question. Where you have chartered a vessel by the ton per month, what was the price?

Answer. The last was four dollars per registered ton per month.

Question. When was that charter made?

Answer. The charters made under Captain Hodges, or through him, were three dollars and a quarter per month.

Question. Did you charter any to Captain Loper?

Answer. No, sir.

Question. Did he ever charter any of you?

Answer. No, sir.

Question. Did he ever have any connexion with you in relation to the subject of freights—charter-parties?

Answer. I have chartered, or at least offered freights to charters for these ten days charters for three or four of his boats, the names of which I have mentioned, to carry coal and tow barges from here to Washington, merely for the round trips.

Question. You have offered his boats?

Answer. Yes, sir; when they were lying up, but merely temporarily for this round trip.

Question. Did you ever employ him to assist you in effecting charters?

Answer. No, sir.

Question. Did you ever employ any one to assist you?

Answer. I have not, sir.

Question. Did you ever, directly or indirectly, through yourself, or another, pay, or promise to pay, to any person any sum of money or property for the purpose of securing you a charter?

Answer. No, sir.

Question. These vessels you have chartered, I understand, belong to other persons.

Answer. Yes, sir.

Question. What was the rate or percentage you charged for securing the charter?

Answer. The great bulk of these sailing vessels are owned in New Jersey. They are built there in shares of one-sixth, one-eighth, &c., and I charge five per cent. for securing the charter or freight and for collecting it.

Question. How much did you charge on the steamers?

Answer. The same rates for the sailing vessels and steamers.

Question. Have you had any difficulty in securing the payment of your charter-parties?

Answer. Only in waiting for the funds.

Question. Have you ever had any of them discounted?

Answer. No, sir.

Question. Did you ever pay to any person any money, or agree to pay to any person any money or anything of value for the purpose of securing you the payment of any charter-party?

Answer. No, sir.

Question. Do you know of its having been done?

Answer. No, sir.

Question. Who are the principals for whom you have acted in effecting these charters, other than the sailing vessels you have spoken of.

Answer. For the last steamers I have mentioned, the principals were R. F. Loper, president of the Transportation Company, and Thomas Clyde, president of the New York Express Company.

Question. Then the vessels you have recently chartered were for Captain Loper, as president of his company, and for Thomas Clyde, jun., as president of his company?

Answer. Yes, sir.

Question. Did you charge all of these persons five per cent.?

Answer. That is what I expect them to pay me, sir.

Question. Why did Captain Loper and Mr. Clyde effect these charters through you rather than make them themselves?

Answer. For the reason that I had employed barges to transport coal.

Question. Did you ever effect any other charters for Mr. Clyde?

Answer. No, sir.

Question. Did you ever effect any for Anthony Rybold?

Answer. No, sir.

Question. Did you ever effect any for Mr. Groves?

Answer. No, sir.

Question. Did you ever effect any for E. A. Sowder or E. A. Sowder & Co.?

Answer. No, sir.

Question. Did you ever effect any for any citizen or firm residing in this place?

Answer. I have effected charters for D. S. Stetson & Co., ship-brokers, and divided the commission with them as brokers.

Question. Did you ever effect any charters for any other person or persons residing or doing business in this city than D. S. Stetson?

Answer. I would have to come down to the canal-boat owners.

Question. State the facts in relation to effecting charters for transportation of any description.

Answer. I have effected charters of canal-boats.

Question. What percentage did you charge them?

Answer. Five per cent., and it would cover all advances to them.

Question. In what manner did you divide with Mr. Stetson?

Answer. We always divided equally—two and a half per cent. each.

Question. Have you in any instance, directly or indirectly, received more than five per cent. brokerage?

Answer. No, sir; not as brokerage.

Question. Do you know of its having been done by any other party?

Answer. I do not, sir.

Question. Did you ever charter any vessel for any person or persons, and agree to return or to pay to any person any portion of the earnings of the vessel; have you ever agreed to pay to any person or persons any part of the earnings of a vessel which you have chartered to an agent of the government?

Answer. No, sir; not as I understand the question—to an agent of the government.

Question. To any person other than the owner?

Answer. No, sir

Question. Did you ever effect any other charters for Captain Loper than those you have named?

Answer. No, sir.

Question. Have you ever been connected with him in any way in the chartering of vessels for the use of the government?

Answer. No, sir.

Question. Have you ever been connected with any person in any way, in the chartering of government vessels, except your ostensible partner?

Answer. Only in one way I spoke of—by brokers and ourselves together.

Question. When you acted as broker, and charged five per cent., did you in all instances act for the owner of the vessel, or did you act also as the agent of other brokers in some instances?

Answer. I acted in both capacities; in one case it would be for the owners, in another for the broker.

Question. Where you acted for the broker, did you in all instances divide your five per cent. with the broker?

Answer. Yes, sir; in every instance.

Question. For what other brokers did you act except Stetson & Co. and the owners of the canal-boats?

Answer. These are the only ones I can recollect now.

Question. Are those the only ones you have ever acted for?

Answer. Yes, sir.

Question. Are you a member or a stockholder in any of the transportation companies that are doing business here? Have you any interest, direct or indirect, in any of these companies?

Answer. No, sir.

Question. How long have you been in the ship-broker business?

Answer. I have been in it for my own account about twenty-five years; I have been at it since I was fifteen years of age?

Question. Do you know of any advantage being derived by the government in chartering its vessels by private contract over the former method of advertising for vessels?

Answer. The advantage in doing it by private contract is, that you have a better chance of obtaining the situation of the market than by publishing it.

Question. Explain, if you please, how that happens.

Answer. I will explain it in this way: if you advertise for a certain number of vessels, or a certain amount of transportation, you at once put up the rates of freight to all points from the market from which you are going to ship. But, under the system of privately securing the freight, you have a chance to feel the market, and govern yourself by the rates to the points where you are about to ship, and you get it at about the rate at which it is ruling the day you go into the market.

Question. Is it your opinion that the government has secured its transportation cheaper than it would have secured it had it advertised for vessels?

Answer. In almost every case, as far as my information goes, they have.

Question. Has government been able to effect charters upon lower terms than private individuals have been able to effect them?

Answer. In almost every case, yes, as far as comes under my knowledge.

Question. Have you chartered vessels to private individuals while you have been acting for the government?

Answer. Yes, sir.

Question. Have you chartered at higher rates to individuals than to the government?

Answer. Yes, sir.

Question. State in what cases.

Answer. In the case of loading and transporting coal from Philadelphia to Boston against taking it from Philadelphia to Fort Monroe.

Question. What did it cost the government to transport it from here to Fortress Monroe.

Answer. At that time it was $1 75 to $2.

Question. How much was it from here to Boston?

Answer. $2 40 to $2 50.

Question. How long is the passage from here to Boston?

Answer. Early in the fall we make the voyage around in two weeks.

Question. How long to Fortress Monroe?

Answer. The way vessels were detained there it took three or four weeks.

Question. How much greater is the risk from here to Boston than to Fort Monroe?

Answer. It is probably, in figures, one-half per cent.

Question. Then how do you make it out that you charter cheaper from here to Fortress Monroe than from here to Boston if the rate of risk is one-half per cent. greater than to Fortress Monroe?

Answer. You asked me the question as to freights. At the time I speak of the rate of freights, vessels were taken at $2 40 to $2 50 to Boston in preference to $1 75 to $2 to Fort Monroe. There was more money left to them.

Question. After paying insurance?

Answer. Yes, sir.

Question. Who else has been in the habit of chartering vessels in this city to government besides you?

Answer. Really I do not know, sir; they have all been trying to do their share.

Question. Have they all done it?

Answer. That I do not know, sir; excuse me, but if they do not get up early in the morning it is not my fault; I have been up since daylight this morning, and was at it until eight o'clock last night.

Question. Do you not know any one who has been chartering vessels?

Answer. T. H. Allen is the owner of vessels in this port, and has chartered them in various way.

Question. Through himself or others?

Answer. I judge a large portion of them through others. I desire to correct a part of my evidence in relation to that: that I have chartered a large number of his vessels for single freights, and some few on charters by the month.

Question. Does he reside in this city?

Answer. He resides at Port Richmond, at the upper part of the coal depot.

Question. Does Mr. Allen employ brokers usually to effect his charters?

Answer. Yes, sir.

Question. Who chartered those of his vessels that you did not charter?

Answer. That I cannot say, sir.

S. S. BISHOP.

PHILADELPHIA, *Saturday, January* 3, 1863.

ANTHONY GROVES, Jr., being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and occupation.

Answer. My place of business is No 34 South Wharf street. I am a member of the Baltimore and Philadelphia Steamboat Company.

Question. In what capacity do you act?

Answer. Agent of the company.

Question. Have you chartered any vessels to the United States government for transportation?

Answer. I have.

Question. Commencing at what time?

Answer. Last April a year ago, I think.

Question. Have you been in the habit of chartering since?

Answer. Yes, sir, whenever called upon.

Question. To whom?

Answer. To Captain Hodges, the quartermaster at New York.

Question. When did you commence chartering to him?

Answer. On the 6th or 7th of March, 1862.

Question. Did you charter any vessels prior to that time?

Answer. Not to him. We chartered them to John Tucker, who was employed by the quartermaster to charter vessels for the government.

Question. When did you commence chartering to Mr. Tucker?

Answer. I think it was in April a year ago, April, 1861. It was shortly after the war broke out.

Question. Do the steamers Richard Willing, John S. Shriver and Henry L. Gaws belong to your Baltimore and Philadelphia Steamboat Company?

Answer. Yes, sir.

Question. Did you charter them April 20, 1861, to R. F. Loper?

Answer. Yes, sir.

Question. Was R. F. Loper acting at that time as the agent of the government to charter vessels?

Answer. He was acting under John Tucker, I think, sir. John Tucker, I believe, was appointed transportation agent for the government.

Question. Did you sign the charter-parties for your vessels?

Answer. I did, sir.

Question. Of all of them?

Answer. All of them.

Question. Did you effect your charters directly with the government, or through the agency of a broker?

Answer. Through the agency of a broker.

Question. What broker?

Answer. Captain Loper collected the money for us.

Question. In all cases?

Answer. In the first year.

Question. Who has been your broker since then and during 1862?

Answer. Nobody.

Question. Who collected the charters you effected with Captain Hodges?

Answer. We collected them ourselves?

Question. Did you make the charters yourselves?

Answer. Yes, sir.

Question. I understand, then, that with the vessels chartered to Captain Loper, Captain Loper acted as the agent both of you and the government?

Answer. He acted as the agent of the government officer. He chartered these boats of ours, and we were to pay him a commission of five per cent.

Question. How much have you paid in all instances?

Answer. We paid five per cent. the first year for those chartered to Captain Loper. For those chartered to Captain Hodges we paid nobody commission.

Question. What amount of commissions did you pay to Loper during the first year?

Answer. Five per cent

Question. What was the gross amount?

Answer. That I cannot tell without the figures before me.

Question. What would be your estimate of the amount from your best recollection?

Answer. Well, I suppose $3,000 or $4,000; in that neighborhood. It may be more or less, but I think about $4,000.

Question. Was Captain Loper acting for his company at the time, or individually for himself?

WITNESS. As regards commissions?

The CHAIRMAN. Yes, sir.

Answer. I suppose he was acting for himself. It was a personal matter.

Question. Did you ever apply directly to the immediate agent of the United States government to charter vessels during the last year?

Answer. No, sir; they called upon me to charter the boats, and we chartered them. At that time the government required all the boats they could get.

Question. Were there any advertisements for proposals for charters?

Answer. I never saw them.

Question. When you charter a vessel, knowing that you are obliged to pay five per cent. or any given per cent. for brokerage, do you or do you not make that an item of expense and calculate it as a part of the amount that you are to charge for the charter-party?

Answer. Well, the reason we give this five per cent. is to save us a great deal of trouble in collecting our charter-parties.

Question. Is it not the case that when you sit down to estimate the expense of the charter, you include that commission?

Answer. Yes, sir.

Question. Is not that included in your estimate when you determine the amount you will do business for?

Answer. If we have to pay the commission, of course we charge that much more for the charter of our boat.

Question. You say the employment of a broker through whom to do business saves you trouble; in what manner?

Answer. We have trouble in getting our money. We have to go down to Washington and to follow up the army.

Question. In what way is the broker able to secure payment more speedily than you?

Answer. He is better acquainted with the department at Washington, and knows how to get his money better than we do. We have no time to send down there; we cannot lose the time; we would rather pay the commission.

Question. Do they not furnish money to their quartermasters here to pay these charter-parties?

Answer. They have furnished money here, sir.

Question. Has Captain Loper been compelled to go to the War Department to obtain moneys?

Answer. Yes, sir, he has.

Question. Do you know that from your own knowledge, or from his representations?

Answer. From what he has told me; but I think it is a fact.

Question. Have you had any difficulty during the last year, since your charter-parties were made with Captain Hodges, in getting money?

Answer. No, sir.

Question. Why was there any greater difficulty in securing payment last year in Philadelphia than there is this year, when the expenditure is much greater than last year?

Answer. I do not know why that is.

Question. Why were you required to go to Washington last year to get your money, and not this year?

Answer. We are required to go now, sir; we go and get our certificate. When we take a certificate of indebtedness, we have to go there.

Question. Were the charters in the vicinity of Philadelphia made through Captain Loper?

Answer. Yes, sir, they were. He is acquainted with all these persons who own boats in Philadelphia, and we are all acquainted with him.

Question. You say they were all made through Loper.

Answer. They were chartered through him.

Question. He acting in many instances, and in your case, both as the agent of you and as the agent of the government?

Answer. I suppose so. I do not know that the government paid him anything for chartering vessels. He was acting for John Tucker, I believe, sir.

Question. Have you ever, directly or indirectly, paid, or promised to pay, any money or thing of value for the purpose of securing a charter, other than the five per cent. that you paid which you have mentioned?

Answer. No; not one cent of money or any kind of present whatever.

Question. Have you ever, directly or indirectly, paid back any portion of the money you have received for a charter to any person or persons for the purpose of securing a charter-party, or any other advantage in connexion therewith?

Answer. Not one cent, sir.

Question. Have you ever employed any person or persons to secure a discount of a charter-party?

Answer. No, sir.

Question. Have you ever paid to any person, other than Mr. Loper, any per cent. in connexion with the procurement of these charters?

Answer. No, sir.

A. GROVES, Jr.

PHILADELPHIA, *Saturday, January* 3, 1863.

STEPHEN FLANAGAN, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your place of business, the name of the firm, if any, of which you are a member, and your occupation.

Answer. My place of business is at 304 South Wharves street; the business is individual, under the name of Flanagan; I am engaged in steamboat business—steam-towing and transportation business.

Question. How long have you been in that business?

Answer. I guess about sixteen years.

Question. Have you furnished any transportation for the army of the United States since this rebellion occurred?

Answer. Yes, sir; transportation or tug-boats.

Question. When did you furnish the first?

Answer. The first, I think, was November 11, 1861, or near that time.

Question. Was it the steamer Commerce?

Answer. Yes, sir, the steamer Commerce.

Question. Who did you charter her to?

Answer. Really I cannot tell. Captain Loper chartered her for me, I think, to Mr. Tucker. I am not positive about that; I could tell by reference to her charter-party.

Question. Who acted as the agent of the government in chartering vessels in this port during the year 1861?

Answer. I think Mr. Tucker, sir.

Question Through whom were most of these charters effected?

Answer. Most of my charters were effected through Captain R. F. Loper.

Question. Did you effect any through any one else than Captain Loper?

Answer. I think not, sir.

Question. Do you know of any person effecting any through any one else than Captain Loper?

Answer. Not of our boats.

Question. Do you know of anybody effecting any charters for the army department during the year 1861, except through Captain Loper as broker?

Answer. With only one exception, I think, sir. I chartered a barge through Mr. A. C. Hall, of Baltimore.

Question. I understand you to say that you know of no case where a vessel was chartered during the year 1861 at this port, except through the agency of Mr. Loper.

Answer. Yes, sir. Mr. Hall's was not in 1861; it was in March of last year. I know of no one else, without it was Mr. Tucker. Mr. Tucker has signed charter-parties for these steamboats.

Question. What per cent did you pay Loper?

Answer. Five per cent.

Question. Did you ever pay him more?

Answer. No, sir.

Question. Was that what he generally charged?

Answer. To the best of my knowledge, it was; I have heard him say so.

Question. Did you pay five per cent. in all instances?

Answer. Yes, sir, except in one instance through my brother I paid five and a half per cent. My brother chartered this boat through Mr. Tucker, and Mr. Tucker signed the charter-parties. There was an advertisement in the Washington papers in reference to vessels wanted, and my brother wrote a description of certain vessels and sent it there, and Mr. Tucker then sent for him and concluded the arrangements for these few boats.

Question. What is your brother's name?

Answer. James M.

Question. Is he a partner of yours?

Answer. No, sir.

Question. What business is he in?

Question. In the same business, excepting transportation; he is not connected with transportation at all.

Question. How many vessels in all have you chartered to the War Department, or for the purposes of the War Department?

The WITNESS. Do you want to know exactly, sir?

The CHAIRMAN. No, sir; state as near as you can.

Answer. About fourteen.

Question. Are the fourteen still in the employment of the government?

Answer. They are, with the exception of three, I think, that have been discharged.

Question. Then you have about eleven in the employment of the government now?

Answer. Yes, sir.

Question. Were they all chartered through the agency of Captain Loper?

Answer. Yes, sir, with the exception of three. What you mean by that is whether he received a commission?

The CHAIRMAN. Yes, sir.

Answer. Yes, sir, they were.

Question. Does Captain Loper receive a commission upon the earnings of the boats so long as they remain in the government employment?

Answer. Yes, sir.

Question. What amount have you paid, or are you now owing to Captain Loper for his brokerage?

Answer. I am not owing him anything.

Question. How much have you paid him?

Answer. Really I must take a little time to answer that exactly.

Question. State about what amount.

Answer. It would be merely jumping at it. I should think not more than five thousand dollars. My boats, sir, are all low-priced boats.

Question. So long as these boats are earning for you, they are also continuing to earn, each of them, five per cent. for Captain Loper?

Answer. Exactly, sir, if you choose to term it that way, and I p sume that is the true sense and meaning of it.

Question. Did you pay to any person any percentage for the v sels that you chartered to Mr. Tucker?

Answer. None, sir, to anybody but Captain Loper.

Question. Did you pay to Captain Loper five per cent. for vessels that were chartered by Mr. Tucker?

Answer. No, sir; those that I chartered direct to Mr. Tucker never paid a cent for. I can enumerate them: the Atlantic is or the Pendulum—she was lost in going from the Capes of Delaware Fortress Monroe. Of course we never got anything for her, but expect to up to the time she was lost; the Robert Morris, up to first of April.

Question. Did Mr. John Tucker or Captain Loper sign the chart parties of your vessels?

Answer. I do not think that Captain Loper ever signed a chart party; I am satisfied about it.

Question. Who did?

Answer. Mr. John Tucker signed several; Captain Hodges sigr several; Captain Boyd signed several.

Question. Who signed them on your part?

Answer. I signed all of them on my part.

Question. Have you been in the habit of acting as the holder other parties?

Answer. No, sir; I have chartered one or two vessels.

Question. What is the usual per cent. for chartering among m cantile men—not among contractors?

Answer. I presume among mercantile men it is five per cent. have paid five per cent. for doing business in Troy. It has been ported to me that Mr. M. Baird got five per cent. on all their busin between here and New York, which is enormous; what he gets of it I don't know. Mr. Baird gets five per cent. on all the freigl between Philadelphia and New York, I have heard.

Question. How happens it, Mr. Flanagan, that where you ms the charter, signing it yourself for yourself, or for the company y represent, and Mr. Tucker signing it for the government, that y paid Captain Loper five per cent.?

Answer. Captain Loper secured the charters, and I merely cc cluded them.

Question. Why did you not secure them yourself?

Answer. For the very reason that we knew nothing about it at a It was proposed to us by Captain Loper. I presume that is the ca

Question. Did you ever apply to Mr. Tucker, or any other par to charter your vessels yourself?

Answer. Yes, sir, for the Atlantic and the Pendulum.

Question. Did you for others?

Answer. Did we ever apply to Mr. Tucker to charter any ot boats? Yes, sir; I think so.

Question. Why did you not charter them directly to him?

Answer. At one time I remember the reason was Mr. Tucker w not about.

Question. But you say you applied to him to do it?

Answer. Yes, sir; but none that were ever refused by Mr. Tucker did I charter to Captain Loper.

Question. Did Mr. Tucker send you to Captain Loper?

Answer. No, sir.

Question. Did he advise you to call on Captain Loper?

Answer. No, sir, not to my knowledge.

Question. How did Captain Loper, who was not an agent of the government, come to know about the wants of the government?

Answer. That I do not know, sir. I never heard him say.

Question. Was he in any way connected with the quartermaster's department of the army?

Answer. Not that I know of, sir.

Question. Did he hold any ostensible official position in connexion with the army?

Answer. I never knew of it except at one time whilst he was assisting General Burnside at Annapolis.

Question Do you know of any other parties who have effected charters to Captain Loper?

Answer. Yes, sir; many of them.

Question. Name them.

Answer. Captain Whilldin and Thomas Clyde. The way I know of this I have seen them in his office, and have happened to ask what business they were on; and they told me, "On the same business you are on." I presume that is the case. Mr. A. Groves, jr.; Mr. Rybold; Mr. Hammett, of the firm of Noble, Hammett & Co. I do not remember of any more, sir.

Question. Did they also pay five per cent. for their charters to Captain Loper?

Answer. I think they did. I have asked Captain Whilldin about that, and Captain Whilldin has told me that Captain Loper charged him five per cent. The way I came to ask him about it was, I asked him if Captain Loper deducted his commission in cash when certificates were down four per cent., and he replied that he did, the same as I did. That is the way he does with me. He deducts it in cash.

Question. Then you really pay about seven per cent.?

Answer. When certificates are below par I do. It depends upon that.

Question. Did you ever pay Captain Loper or any other person, or ever promise to pay him or any other person, any sum of money or any other thing of value for the purpose of securing a charter-party, other than this five per cent. that you have mentioned?

Answer. I have agreed to pay Mr. Bishop five dollars on a boat that gets fifty-five dollars a day, and six dollars on a boat that gets seventy-five dollars a day.

Question. What Bishop is that?

Answer. S. S Bishop, a merchandise broker and ship-broker.

Question. What vessels are those?

Answer. The steamer Monitor, the D. W. Lennox, and the Ariel, a small vessel.

Question. Is not that near twelve per cent.?

Answer. No, sir; on seventy-five dollars it would be eight per cent.; on fifty-five dollars it would be ten and a half per cent. I have never paid him anything yet.

Question. Have you promised to pay it?

Answer. Yes, sir.

Question. Have you a written agreement with them?

Answer. No, sir.

Question Do you consider yourselves under obligation to pay it?

Answer. We do, sir.

Question. Have you ever paid, or caused to be paid, to any person any sum of money or other thing of value for the purpose of securing your pay upon any charter-party that was due you?

Answer, No, sir; never.

Question. Did you ever, in any way, have a charter-party discounted?

Answer. No, sir; never in my life. Two of my charter-parties are payable in New York; those I collect myself.

Question. What other person in Philadelphia, or in this vicinity, acted toward ship-owners and transportation agents as Captain Loper?

Answer. James Alderdice and Mr. Bishop are the only ones I know. There is a gentleman at Richmond—I cannot recall his name—that chartered a good many canal-boats; Mr. Buckley, I think, is his name. Mr. Alderdice was agent for the New York outside steamers.

Question. Have you chartered any sailing vessels?

Answer. No, sir. I am interested in some, but I did not charter any.

Question. What connection had Mr. Baird with these transactions?

Answer. Not any that I know of.

Question. When you were at Captain Loper's office did you see Mr. Baird?

Answer. I always saw him there. He is down in the lower office; Mr. Loper's office is up stairs. Occasionally I would meet him up there.

Question. Did Baird have anything to do with these transactions?

Answer. Not to my knowledge.

Question. Did he act as Captain Loper's agent when he was absent?

Answer. Not to me, sir, nor to anybody in my presence.

Question. Do you know of his chartering any vessels?

Answer. I do not, sir. He is president of the Union Steamship Company; whether he chartered them or not I am not able to say. Mr. Baird is the president.

Question. Is he also treasurer of the other company?

Answer. Yes, sir. I think he is president. He is a very large stockholder if not president.

FEBRUARY 5.

On reading my above testimony over, and further reflection, I find that I was mistaken as to my understanding with Mr. Bishop. The commission he was to charge on the three vessels, Monitor, Ariel, and D. W. Lennox, was only five per cent., the same that I have paid to Captain R. F. Loper.

I was also mistaken as to the steamer Commerce being the first vessel chartered by me during this war. The Adriatic, chartered June 5, 1861, was the first.

S. FLANAGAN.

PHILADELPHIA, *Saturday, January* 3, 1863.

WILMON WHILLDIN, being duly sworn, testified as follows:

Examined by the chairman.

Question. Please state your place of business in the city and your employment?

Answer. My residence is at 518 South Front street. The place where I do business, the office, is at No. 14 South Delaware avenue. I am engaged there as president of the New York Express Steamboat Company.

Question. Are you the owner of any steamboat or ship, except as a stockholder?

Answer. I own two steamboats, and have a small interest in a number of others, among which is this Express Steamboat Company between here and New York.

Question. Have you, individually, or as a member of a company, furnished any transportation to the army of the United States during this insurrection by chartering boats?

Answer. I have chartered two steamboats.

Question. When did you effect those charters?

Answer. The first one was chartered October 18, 1861.

Question. To whom?

Answer. To the United States government.

Question. Through what agent did the government act?

Answer. Through Captain R. F. Loper.

Question. Who acted as your broker in the matter?

Answer. I had better tell the whole thing just as it occurred. It may appear foreign, but I had better go back to the way it came to be chartered. In 1861, when Norfolk was threatened, and was afterwards given up, an application was made to me and some folks here owning the steam-tug America. They asked them $1,000 a day. I, as a steamboat man, felt indignant. I had the steamboat George Washington lying at Wilmington, which I only used a part of the year. I went to Captain Loper. Our express boats had been taken down to take troops to Washington. I said, "I have a boat better than the America, and if you will take her and use her until June, you can have her; I do not want anything." I felt that every man should put his shoulder to the wheel. This gave him the information that I had the boat. I run her from July 1 to September 1, and then laid her up. Captain Loper came to me and said, "You have the George Washington; will you charter her to government?" I said "Yes." This was last September or the first of October. I hauled the boat out, and took several weeks to see that she was right. I was detained some time to get on the sectional dock, and on the 29th

I chartered her. I had a boat called the Pilot Boy, an iron boat, of very light draught. I saw Captain Loper about her. He had once or twice spoken to me about the Pilot Boy, but I did not want to part with her and break up my business. Says he, "Willie," calling me by that name familiarly, "Can the government have the Pilot Boy?" I asked, "*Do* they want the Pilot Boy?" "Yes," he said, "they *do*." I replied, "They can have anything I have while this war lasts." So I chartered her. I never asked for any price, but told him to charge what was right. The price was settled by him, and I am proud to say, if this investigating committee look around, they will find no boats chartered at anything like as low a price.

Question. Those are the two vessels owned by yourself?

Answer. Yes, sir.

Question. Are they now in the employ of the government?

Answer. Yes, sir. The charter of the Pilot Boy was cancelled at the end of two months, and she was again chartered to go south. The price they increased, which was very fair to me, for the reason that I was subjected to fully as much expense as I got extra pay, and I would rather have kept her under the old charter than the new one. She was sent down to Port Royal, and in the storm that stopped General Burnside she was detained at Cape Hatteras, and has been there ever since.

Question. Have you, either directly or indirectly, in order to secure your pay for a charter, been compelled to employ any broker, or pay any percentage.

Answer. No, sir; I have not been compelled to; I have done it. I will tell you all that I have paid. I have paid Captain Loper a percentage for collecting my bills, and I have not paid anybody else one cent.

Question. What did you pay him?

Answer. I was to pay him five per cent. for collecting my bills. I paid him that, and I paid him at one time—a man might as well acknowledge his poverty—I paid him five per cent. for advancing me money. I had a debt of $30,000 on my shoulders. Government was owing that much to me, but I had to pay it then, and I had to do this. First I paid him a commission of five per cent.

Question. And then you paid him five per cent. more for advancing the money?

Answer. Yes, sir.

Question. Was the money which he advanced to you due on these charter-parties?

Answer. Yes, sir, he advanced me money to carry on my business with.

Question. Was as much money due from the government to you on these charter-parties as he advanced to you?

Answer. Not quite, but pretty near.

Question. How long was that advance for?

Answer. Until I got the money to pay him back.

Question. How long did you have it?

Answer. It was six months before I got it.

Question. Did he advance you this amount at the commencement of the six months.

Answer. It was soon after the commencement of the six months. You see I went into very heavy expenses

Question. Did you have Captain Loper's money for six months or for any length of time?

Answer. Some of it I had for six months; some of it I did not. I got what I wanted of it to carry my busines on with. I had to meet the expense of putting the boats in very good order. I had other business too; this Express Steamboat Company I had on my shoulders made it necessary I should have the money. When I chartered these boats I said to him, "Captain, I want you to have the charters so drawn that I shall get my money at the end of every month In that case I shall pay five per cent." He said he would, and the charters were so drawn, but the government did not pay one cent for six months.

Question. How much did you pay Captain Loper on the advance?

Answer. I told him if he would advance me the money I would give him ten per cent.

Question. And you paid him that?

Answer. Yes, sir, I want you to understand, however, that I was to pay him five per cent. commission.

Question. Was that besides?

Answer. No, sir; I said if I could get my money I would pay ten per cent. I did not want women (the wives of my men) coming to me for money and I not have it. If the government had payed me according to contract I should have payed him five per cent.; as it is, I paid him ten per cent. The paying of that five per cent., I think, is justly chargeable to the government not paying me.

Question. Are you paying Captain Loper any sum of money on the earnings of these vessels at this time?

Answer. Not one cent.

Question. On the charter-parties now you are not compelled to pay him?

Answer. No, sir; I would rather pay him because I do not understand going to Washington and collecting these things; I do not understand the routine.

Question. You employ and give him five per cent. to collect?

Answer. Yes, sir.

Question. That arrangement still continues?

Answer. Yes, sir; the five per cent. still continues.

Question. Have you ever been to collect any money.

Answer. Never but once, and then I did not collect anything. I was going down to Washington and had—I don't know what they call it, but I think an order or certificate of indebtedness that I got from Colonel Crossman here; I was going down to Washington with it. I had a cousin residing there. I gave it to General Spinner and told him that Captain Loper would be there to receive the money. I never received a cent except through Captain Loper, and I never begrudged him a cent, because, if he did not do it, I would have to run there and attend to it, and I do not know about these things.

Question. Have you chartered any vessels to government as the agent or representative of the Express Steamboat Company?

Answer. No, sir; not one. There have been some of the Express Steamboat Company's boats chartered, but I have not chartered them.

Question. Through whom were these chartered?

Answer. They are chartered through Thomas Clyde, who is a stockholder, and the general superintendent of the line.

Question. He acts as the agent of the company?

Answer. Yes, sir. His son is the agent of the company, and he has the general superintendence; he is a large stockholder.

Question. Are the charter-parties signed by him as the representative of the company?

Answer. The charter-parties are signed by him, if my memory serves me, "Thomas Clyde, agent of the Express Steamboat Company."

Question. Who signs them on the part of the government?

Answer. I think it is Mr. John Tucker, but it may be Colonel Crossman; I do not know.

Question. Has the Express Steamboat Company paid or promised to pay any person any per cent. upon the charters it has effected?

Answer. That I do not know; but, I answer, not for getting charters; it may possibly pay a percentage for collection; I think for a time they did, but do not now pay a per cent.

Question. To whom did they pay it?

Answer. I think they paid it to Captain Loper.

Question. How much in all have you paid to Captain Loper in percentage on your own steamers?

Answer. I could not tell without examination.

Question. You can state something near the amount; I only ask for an estimate.

Answer. On the two charters for these two boats, a little over a year, at $325 a day, I should suppose it is about $8,000; but I could not tell without my books; it might average that; it would be from seven to ten thousand dollars.

Question. (By Mr. Morrill.) Is he a broker?

Answer. He is a broker; he attends to the business of the kind for a number of persons, Captain Loper does. I never applied to Captain Loper to charter my boats, nor to anybody else to charter them; I never offered them to government except to give them to them for a month or two when they wanted boats. He asked me if I wanted to charter boats.

Question, (By the chairman.) How long did the Express Steamboat Company continue to pay five per cent. upon its charters to Captain Loper?

Answer. That I could not tell; Mr. Clyde has the whole of that; it was not a great while.

Question. Where does Mr. Clyde live?

Answer. Mr. Clyde lives in Delaware, just on the edge of Pennsylvania, at Claymont, just about a mile below the Pennsylvania line. He is here every day nearly; I think he is down at Washington or Alexandria now; he has some boats chartered that I have an interest in, for which I might say I know he paid no brokerage to anybody, and there

is none paid. I think the way he came to break loose from Captain Loper was this: Captain Loper attended to this business, but he had enough to attend to without it. One boat he had chartered, and he thought Captain Loper was negligent about some things, and we lost part of our charter by it, and there was some feeling existing, and Captain Loper said if he was not satisfied he would give him up his charters, and he did so. Previous to that there were some of the boats that he had never paid anything for; at least I don't think he did; I don't know.

Question. (By Mr. Morrill.) Who fixed the terms of your charter?

Answer. Captain Loper fixed the terms of my charter; I don't know as I ought to say that; the terms were fixed either by Mr. Tucker or Captain Loper; they were not fixed by me; the captain asked me the price, and I said "I don't want anything more than what is right."

Question. Did you have any conversation with Mr. Tucker?

Answer. No, sir; not a word. I told Captain Loper I did not want anything more than what was right.

Question. He afterwards told you what was fixed?

Answer. Yes, sir; it was a price that perfectly suited me; I am only sorry that similar boats were not chartered as low.

Question. Have you stated the price?

Answer. No, sir. I will state the price. The Washington was chartered for $160 per day. She is a boat of about 400 tons—a large, able boat, a very fast boat.

Question. What is the price of the other?

Answer. The other is $165. She is not as strong a boat perhaps, not as powerful a boat. Her tonnage is about 300. She was chartered to go to Port Royal.

Question. Does this include repairs?

Answer. We have done all the repairs that have been done to it.

Question. (By the chairman.) Did you furnish the men?

Answer. Yes, sir. By the foolishness of the harbor-master once they broke her rudder, and the government repaired that.

Question (By Mr. Morrill.) You do not coal her?

Answer. No, sir; we furnish everything but the coal. I put her off in such order that my repairs have not been very great.

Question. When you speak of other boats being chartered at higher rates can you specify?

Answer. I can, but I do not like to speak of other people's affairs. There was the Wm. Kent, of New York, a boat of not quarter size than the Washington, got $700. She was chartered for I don't know how long. They had her in use 72 days, I think. The captain of her told me we chartered the Washington too low. I told him it was enough, and it is.

Question. Do you know whether in that instance they found their own coal?

Answer. No, sir; they were in the same way with us.

Question. Do you know who chartered that boat?

Answer. No, sir, I do not know anything about it. I was not even acquainted with the captain; only he came to me when his

charter was out, (I took a trip down with him,) and he said, "You chartered your boat too cheap." I told him I thought we got enough. If I had my boat in summer time I could do better than with government, but when I take into consideration the length of time, having employment all winter in the service of the government, it is better. But there is more risk to run.

WILMON WHILLDIN.

WASHINGTON, *Friday, January* 9, 1863.

AMASA C. HALL, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your age, residence, and occupation.

Answer. The city of Baltimore, Maryland, is my residence. My age is forty-nine years. My occupation is commission merchant.

Question. How long have you resided in Baltimore?

Answer. It is going on ten years.

Question. Where did you remove from to that place?

Answer. New York city.

Question. When did you begin to have any connexion with furnishing transportation for the United States army?

Answer. I think it was in August, 1861.

Question. What was the first vessel you furnished?

Answer. I cannot now state the first vessel. My impression is it was either the steamer Pocahontas or the Georgia.

Question. Are you a ship-owner?

Answer. I own some vessels, not much.

Question. Were you at the commencement of this war?

Answer. Yes, sir; I had some steam-tugs.

Question. Name the vessels that you owned or in which you were a part owner in July, 1861?

Answer. The steamer St. Nicholas, the steamer Diamond State, the steam-tug Edwin Forrest, the steam-tug Fairy Queen, and the steam-tug E. H. Herbert.

Question. Are these all?

Answer. Yes, sir.

Question. What interest had you in each of those vessels?

Answer. The steamers Diamond State and St. Nicholas were in a joint stock company, running from Baltimore around to Washington, Alexandria, and Georgetown. In those two boats I had a five thousand dollars' interest; I owned five thousand dollars' worth of stock.

Question. What was the total amount of the stock?

Answer. I believe about thirty thousand dollars.

Question. Then you owned one-sixth?

Answer. I owned five thousand dollars of the stock?

Question. Was thirty thousand dollars the whole amount of the capital?

Answer. I would not say positively; the capital was more than

that. We had had the St. Nicholas but for a short time, but the value of the boats was about thirty thousand dollars.

Question. What other property did the company own besides that?

Answer. Not any other.

Question. What was the stock worth at that time?

Answer. Well, I should think it was worth par.

Question. Then you owned one-sixth?

Answer. Yes, sir.

Question. What interest did you own in the tugs?

Answer. I owned the whole of them.

Question. What vessels do you own now, in whole or in part?

Answer. I own a small part in two schooners and one brig.

Question. In addition to those you have named?

Answer. Yes, sir.

Question. Do you still own the tugs and steamers you have named?

Answer. No, sir, not any.

Question. Have you sold out your interest?

Answer. No, sir. As to the St. Nicholas the secesh took her away from us; she was captured and burnt, you recollect, by a man named Thomas, when she was started from Baltimore and was going around to the Potomac? The Diamond State was sold since that to another party.

Question. Who now owns the tugs that you owned?

Answer. Mr. Coblens.

Question. All of them?

Answer. Yes, sir.

Question. When did you sell them to Mr. Coblens?

Answer. I think in June and July.

Question. What did you get for them?

Answer. I got $4,200 each for the Fairy Queen and Edwin Forrest. The Herbert was lost on her passage from Annapolis to Hatteras Inlet on the 30th of January.

Question. Are they now in the employment of the government?

Answer. The Fairy Queen and Edwin Forrest are, I believe.

Question. When you sold these vessels to Mr. Coblens did you retain any interest in them?

Answer. No, sir; all the interest I retained in them was that he should pay me five per cent commission on the amount he received on the charters as long as they were in the government employment. There was one more boat that I did not think to mention—the James Murray—I owned at that time.

Question. What was done with her?

Answer. She was chartered to the Burnside expedition, and went to Hatteras Inlet, and remains there yet.

Question. Who chartered her?

Answer. Mr. Tucker.

Question. Of whom?

Answer. Of me.

Question. What was her tonnage?

Answer. It was seventy-five tons.

Question. How much was to be paid for her per day?

Answer. Seventy-five dollars.

Question. For a tug of 75 tons you were to receive $75 per day?

Answer. Yes, sir. The owners of the boats were to run all the sea risk, and the government the war risk.

Question. Who paid for the coal?

Answer. The government.

Question. Has she been in the employment of the government at $75 a day since the Burnside expedition?

Answer. I sold her, about the same time I sold the others, to Mr. Coblens, and then she came to Baltimore and was discharged, I think, but I would not be certain, and refitted. They laid out a good deal of money on her, and then they had a new charter for her. I do not know about that myself.

Question. Are you certain about her being refitted?

Answer. Yes, sir.

Question. Are you certain about a large amount of money being laid out on her?

Answer. Yes, sir, for a tug of that size.

Question. In what yard was it laid out on her?

Answer. The iron-work, I think, so far as the machinery was concerned, was done at Charles Reeder's, and the wood-work was done by Mr. Muller, I think.

Question. Was it done at government expense?

Answer. I do not know anything about it.

Question. Was she paid during the time these improvements were being put upon her?

Answer. I cannot say. I had no interest in her, and cannot say.

Question. Were you not getting five per cent. on her during the time she was being repaired?

Answer. No, sir, I think not. I do not think that the government paid the repairs.

Question. Do you swear that you did not receive, or do not expect to receive, five per cent. on her during the time she was undergoing repair?

Answer. I expect to receive five per cent. on all she received from government; but I could not swear whether she was repaired by government or whether she was under pay, but I think she was not.

Question. When did you begin to act for government?

Answer. In August, 1861, I think.

Question. How came you to be employed for this purpose?

Answer. I have been in the steamboat and commission business for the last thirteen years. I was agent for a line of steamers in New York six years before going to Baltimore. Then I came on and took charge of the line of steamers from Charleston to Baltimore, and from Baltimore to New York; that was changed to the Cromwell's line of steamers. I was agent for them when they were first established, until the government took the vessels, a short time previous to the time I have mentioned. Some one recommended me to Colonel Belger as being a suitable person.

Question. Who was that person who recommended you?

Answer. I do not know. Colonel Belger sent for me to come to the office, and said I had been recommended to him.

Question. What per cent. have you received on the vessels you have chartered?

Answer. I have received five per cent. In some cases I did not re-

ceive that; in some cases 2½ per cent.; in some cases more; in some cases 7½ per cent.

Question. What is the highest you have ever received?

Answer. I think ten per cent.

Question. In what cases did you receive ten per cent?

Answer I don't think it would be ten per cent. In the cases of the Portsmouth, the Juniatta, and the tug-boat Phenix, I think I got 7½ or 8 per cent. I don't think I received a percentage on the whole amount that the government paid. There was fifty dollars a day on the Portsmouth and ten dollars a day on the tug-boat that I think I got no commission on at all.

Question. Why did you receive only two and a half per cent. on some boats?

Answer. In some I divided with other brokers.

Question. What brokers have divided the five per cent.?

Answer. R. M. Heslen and Kelsey & Gray.

Question. Any others?

Answer. I do not now recollect any others.

Question. In how many cases have you divided with Heslen?

Answer. I could not say.

Question. More than one?

Answer. Yes, sir; a good many cases.

Question. In how many cases with Kelsey, Gray & Co.?

Answer. I could not say. I have taken a great many vessels of them.

Question. Have you, in all cases that you have acted with Kelsey & Gray, and Heslen, divided the five per cent. with them?

Answer. No, sir. I have received five per cent. myself in more cases than I have divided.

Question. Have you received of them more than five per cent. in any case?

Answer. I think not, sir.

Question. In your division with Captain Loper, did you divide the five per cent., or the ten per cent., or the two and a half per cent.?

Answer. There was no division about it. I paid Captain Loper, as I have stated in my testimony previously taken, which you will find on file at Washington, with every particular, the amount of money on every vessel, the dates, &c.

Question. That testimony is not before this committee and we have to examine you here as to the facts. Have you divided with Captain Loper the percentage you received upon all the vessels you have chartered for government?

Answer. No, sir.

Question. How much money in the aggregate have you paid to Captain Loper?

Answer. Thirteen thousand dollars I have paid Captain Loper.

Question. What consideration has been rendered to you for that?

Answer. He has sent a good many vessels to me, and in other ways.

Question. In what other ways? What do you mean by "other ways?"

Answer. Well, in getting the business for me.

Question. What particular ships or vessels has he secured for you?

Answer. I could not say what particular vessels.

Question. What persons has he recommended to you for employment?

Answer. He has recommended a good many captains of vessels to come to me.

Question. Could you not specify some out of "a good many?"

Answer. I could not specify any names, but he has recommended a good many vessels to me.

Question. Try to recollect the name of one man that he has recommended to you.

Answer. I could not say, sir.

Question. Try to recollect the name of one ship, or other vessel, that he has sent to you.

Answer. I have never chartered any ships. All I have chartered are regular schooners.

Question. Name any vessels that he has sent to you.

Answer. I could not specify any vessel, sir.

Question. Of the whole number of the many vessels that you have chartered through the agency of Captain Loper, you cannot remember the name of a vessel, a captain, or an owner?

Answer. I do not remember any particular one. I have had captains come to me and say Captain Loper recommended them to come to me and see if I wanted any schooners, and when I wanted one I took it; but I cannot recollect the name of a vessel.

Question. For doing this you have paid Captain Loper thirteen thousand dollars?

Answer. I have paid him thirteen thousand dollars.

Question. How much have you agreed to pay him in addition to what you have already paid him?

Answer. I have not agreed to pay him anything.

Question. How much do you consider yourself under moral obligation, or equitable and honorable obligation, to pay him, in addition to what you have already paid him?

Answer. I should feel myself under obligation to pay him more. I never have paid him anything except on the vessels I chartered for the McClellan expedition.

Question. Please to answer my question. How much, in addition to what you have already paid him, do you consider yourself under equitable and mercantile obligation to pay him?

Answer. I should consider myself under obligation to pay him one half—that is, two and a half per cent., except on the vessels chartered for the McClellan expedition.

Question. How much do you estimate the remaining portion due Captain Loper, under your agreement with him, not yet paid?

Answer. I could not say; it would amount to, say, one thousand dollars; perhaps fifteen hundred; perhaps not a thousand.

Question. How much has your percentage amounted to for all the vessels you have chartered to government?

Answer. I think about forty-five thousand dollars.

Question. If you had an agreement with Captain Loper to pay him one-half of all you received, why is he not entitled to $22,500?

Answer. I did not have any such agreement with him.

Question. State specifically what your agreement was with Captain Loper?

Answer. There was no agreement. The only conversation I ever had with Captain Loper was, I told him I was out of business, and had no business on hand; that the government had taken my boats; and that the St. Nicholas had been taken away from me, and the line was broken up, and I wished that he would give me some business. He remarked that there would be a good many vessels wanted by government in the next six months—a good many in Baltimore. I told him if he would put me in the way of getting business I would pay him liberally.

Question. When was this conversation?

Answer. Some time in the last of January or first of February, 1862.

Question. Where did it take place?

Answer. At Annapolis.

Question. Where did you first see him?

Answer. I have been acquainted with Captain Loper for the last ten years. I saw him, so far as the government affairs were concerned, at Annapolis.

Question. When did you enter into your contract with Captain Loper?

Answer. That was the only contract we ever had.

Question. I understand, then, from your testimony, that the only contract or arrangement in regard to these vessels that you ever had with Captain Loper was in February or March last, at Annapolis?

Answer. No, sir; the last of January or first of February.

Question. Am I correct in understanding you that it was at Annapolis?

Answer. Yes, sir. At Annapolis was the first conversation I had with him.

Question. You say, also, that that was the only conversation, contract, or agreement that you had with him?

Answer. The only conversation I had in reference to paying him anything. I have seen him several times since then.

Question. Did you ever meet Captain Loper at the War Department?

Answer. No, sir.

Question. Did you ever meet him in Walnut street, Philadelphia?

Answer. Yes, sir.

Question. When?

Answer. I met Captain Loper at Mr. Tucker's office on the 24th day of February, 1862, on Monday morning at 9 o'clock.

Question. Was that before or after you saw him at Annapolis?

Answer. That was afterwards.

Question. How did it happen that you went to meet him in Philadelphia, or that you met him at Philadelphia?

Answer. Some time in the month of February, the first of February, I think, the Secretary of War, Mr. Stanton, advertised for proposals for vessels of different classes—different grades—steamers, tug-boats, and sailing vessels. I saw the advertisement, and I answered the advertisement, stating that I could furnish so many steamers, so many tug-boats, and so many vessels. Then I went to Washington, and there I met Mr. Tucker at Willard's Hotel. He was then, I believe

Assistant Secretary of War. I showed him the schedule I had. That was on Friday night. He remarked to me then, that Captain Hodges and himself had been appointed a committee, or agents, to get up an expedition, and they wanted such and such vessels of such and such dimensions, decks, and capacities for carrying mules and horses, and steamboats for carrying troops. He wanted to know how many I could furnish, and I told him I could not tell exactly, but in a day or so I could give all the names of the different vessels. He asked me if I could get the information and have it so he could get it in Philadelphia on Monday; for me to meet him at his office. I told him I thought I could. I went home on the six o'clock train on Saturday morning, and went to work; got the names of the vessels; saw the owners and parties, and got the dimensions; and Sunday night I went to Philadelphia and saw Captain Hodges and Mr. Tucker. Captain Loper was there at the time. I had the names and dimensions of the vessels.

Question. Who was present at that interview besides yourself, Mr. Tucker, Captain Loper, and Captain Hodges?

Answer. I think, no one—except that the office was full of people handing in their propositions. A great many merchants were there from Philadelphia and from all parts. That day, on Monday, they established the price for the schooners and boats. Mr. Tucker told me on Friday night that they had not fixed the price they would pay, but Captain Hodges had been at New York and Boston and would ascertain.

Question. At the time you met Captain Loper in Mr. Tucker's office, on Walnut street, Philadelphia, was there any conversation between you and him as to the five per cent. you were to divide with him?

Answer. No, sir; not a word.

Question. Have you given testimony on this subject before?

Answer. Yes, sir.

Question. Does your testimony now given correspond with your testimony given before?

Answer. I think so.

Question. Are you confident of that?

Answer. I would not say certainly, sir.

Question. Who knew of the contract between you and Captain Loper, except you and he?

WITNESS. As to his pay?

The CHAIRMAN. Yes, sir.

Answer. Not anybody that I know of.

Question. Have you ever had any conversation with any one on this subject?

Answer. Not to my knowledge. I have not.

Question. So far as you know, no one is cognizant of the fact that there is any contract between you and Captain Loper, by which he is to receive one-half of your percentage on these chartered vessels?

Answer. He is not to receive one half. He has not received one cent on those chartered at Baltimore. All that he has received is on the charter-parties of what we call the McClellan expedition.

Question. Have you ever made any presents to any officer of the United States during the pendency of this war, or any employé of the government?

Answer. I have made some small presents to some clerks in the office at Baltimore.

Question. State to whom and what the presents consisted of.

Answer. I have made some presents to Mr. Bixler, and some to a Mr. McFarlane, and I believe a small present to Mr. Shane.

Question. What were the presents?

Answer. I gave Mr. Shane a ton of coal and a box of soap. I believe I never made him any presents of any money.

Question. Are you confident of that?

Answer. I think I have not. I would not say positively, because I would not want to speak positively, but it is my impression I have not. I gave Mr. Bixler a suit of clothes. I was in the office one day; it was very warm; I had on a suit of thin clothes myself, and he said, "Suppose you give us a suit of clothes." I said, "Here is an order, go and get a suit." I thought he would get a thin suit, but he got a thick one, and I paid the bill when it came down.

Question. What did you give the other?

Answer. As to Mr. McFarlane, I had money of him. He loaned me fourteen or fifteen hundred dollars at one time, and at another time six or seven hundred dollars. I paid him at different times, I should think, about five hundred dollars ($500) for the use of thirteen hundred. I had $1,365, I think, of him at one time.

Question. For how long?

Answer. I think about two months

Question. How long did you have the six hundred?

Answer. About the same time.

Question. Did you ever pay him more than the $500?

Answer. I think that was all I ever paid him.

Question. What did he ever receive from you except the $500?

Answer. Nothing else but that money.

Question. For the use of $1,900 for three months you paid him $500?

Answer. I paid him about $500.

Question. To what other agent or employé of the government have you paid money or made presents?

Answer. I have made presents to no others, to my knowledge.

Question. What other presents or money have you paid, or have you agreed to pay, or do you consider yourself under any obligation to pay, to any government agent, officer, or employé?

Answer. To none, sir. There is no agreement and no understanding to pay to anybody.

Question. Have you had the general charge of the vessels belonging to the army department of the government in Baltimore?

Answer. No, sir. All I have done there is, whenever they would want a vessel I have been sent for by Colonel Belger, who wanted to know if he could get such and such schooners; and I was sent for by General Dix and General Banks.

Question. Why were you sent for in preference to any other ship broker or commission merchant?

Answer. I cannot say, sir. I have been sent for by General Dix a good many times, when he would say they wanted to send some secret expedition to a certain place on the Potomac or the Chesapeake,

and he wanted to know the depth of water and if I knew any steamers drawing that depth of water; and I have been out and made an examination and told him and engaged the vessels.

Question. Did you furnish any vessels on better terms than any other commission merchant of Baltimore would have furnished them at?

Answer. I think I have furnished at a less price than they would have to pay if they had gone into the market and engaged of the brokers.

Question. Do you know of Major Belger, or Mr. Loper, or any other person having instructions to employ you in preference to any one else?

Answer. No, sir.

Question. Do you know of any arrangement or understanding, tacit or implied, written or oral, by which you should be employed in preference to anybody else?

Answer. No, sir; I do not think there was ever in the world any understanding of the kind.

Question. How often have you employed those tug-boats for freight purposes after they were sold to the United States government?

WITNESS. What tug-boats?

The CHAIRMAN. Those tug-boats that belonged to the United States.

WITNESS. For private purposes?

The CHAIRMAN. Yes, sir.

Answer. We had in the port of Baltimore one tug that was chartered to the government, and the War Department and the Navy Department having a great many vessels there, sometimes they would want to move more vessels than what one tug-boat could do. I have then, myself, hired other tug-boats to move these vessels and paid the owners that moved them. And sometimes there has been not any work doing. I was in the tug business before this war broke out. So they would then come to me to have a boat moved down to Locust Point or some other place and I would have it done. In making up the account of these things to the 30th of July, which was directed to Colonel Belger, the balance due to the government was fifty-seven dollars, I think, over and above what I paid out. Since that time the amount paid out has been more than has been received.

Question. You say the government tug-boats were employed for—

Answer. (Interposing.) The tug-boat was employed so.

Question. For private purposes?

Answer. No, sir; for the government. The government had paid for one tug-boat.

Question. I asked if the government tug-boats had not been employed in tugging boats for private individuals?

Answer. I explained why it was.

Question. I want a categorical answer. Is the government tug-boat so used?

Answer. She is, sir.

Question. By whose direction?

Answer. By my direction, in that way.

Question. What authority had you to employ her in that way?

Answer. I had no more authority than I had to employ other vessels to tow other than government vessels.

Question. Had you any authority to use a government vessel after she was chartered to government.

Answer. I do not know as I had any authority, but I had paid four or five hundred dollars for towing government vessels in the harbor, which bill had not been paid.

Question. Has any government vessel or tug-boat been employed there in tugging vessels belonging to private parties?

Answer. In no case, except this boat that was in the habor, as I stated.

Question. In how many cases was that boat you speak of, in the harbor, used for tugging private boats?

Answer. I could not say how much.

Question. Who collected the amount paid by those individual owners?

Answer. My clerk.

Question. What did you do with it?

Answer. I kept an account of it.

Question. Up to what time?

Answer. To the 30th of July.

Question. When did you make up that account?

Answer. To the last of July.

Question. When were the entries made?

Answer. At that time.

Question. Do you swear that the entries were made at the time the tugging was done?

Answer. I swear this, that the account was made up from memorandums up to the 30th of July.

Question. I am not asking the way it was made up, but when it was made up and rendered?

Answer. The last of July or first of August; the last of July, I think.

Question. Do I understand you to swear that the account you rendered to government on the last of July contains a charge against yourself for the amount that you received for this tugging?

Answer. It shows a balance due the government of fifty-seven dollars. I think it states this. My clerk made it out, showing a balance of fifty-seven dollars due the United States government, which must be deducted from the charter of the Haswell.

Question I wish to know whether the items were furnished in the account you rendered on the last of July, charging yourself with the amount you received from the private owners of these vessels for tugging their boats?

Answer. No sir, there were no items; the items were there and the balance was struck.

Question. Who had the items?

Answer. I had them.

Question. Where?

Answer. In my desk.

Question. On your books?

Answer. No, sir.

Question. Why did you not have them on your books?

Answer. That money belonged to me. I kept a memorandum of it all.

Question. Do you keep books?

Answer. Yes, sir.

Question. Please answer the question again: if you intended to credit the government with the amount you received for tugging these vessels, why did you not enter it upon the books at the time you received the money?

Answer. It would have been a good deal of work to charge every dollar and a half or two dollars for towing a vessel. When I paid out money I got the bills.

Question. Would it have been any greater work than to have kept it in private memoranda?

Answer. When the clerk collected it he would bring in such an amount collected such a day, and that was laid to one side.

Question. Have you those items now on your books?

Answer. No, sir.

Question. Have you not got them on an account recently rendered, or about to be rendered?

Answer. No, sir; all I have got is for money paid out. That item I have rendered.

Question. When did you first charter the Herbert?

Answer. The Herbert was chartered to the Navy Department, in the first place, August 19.

Question. For what purpose?

Answer. For blockading, I believe, the Potomac river. She was chartered to Mr. Welles.

Question. When did you charter the James Murray?

Answer. The same day.

Question. When was the Herbert lost at sea?

Answer. The Herbert was chartered then. After she got through with the Navy Department she was then chartered to the Burnside expedition, I think, on the first day of January or 29th of December, and she was lost on the 30th of January, I think.

Question. To whom did you charter the Fairy Queen and Edwin Forrest?

Answer. To Mr. Fox, in the first place.

Question. When?

Answer. On the 19th of August.

Question. How long did that charter last?

Answer. The Edwin Forrest was transferred to the War Department in October or November, and then they got through with them; and the Fairy Queen and Edwin Forrest were chartered to the McClellan expedition.

Question. How much did you charte them to Mr. Fox for?

Answer. Forty dollars a day, I believe.

Question. How much to Captain Hodges?

Answer. Captain Hodges paid $45; we run our risk; they run the war risk and the sea risk, both, in the Navy Department. When we took the charter for the McClellan expedition the owners run the sea risk, and the government the war risk.

Question. You have not mentioned the steamer Patapsco; did you have any connexion with her?

Answer. I bought the steamer Patapsco of the mayor and city council of Baltimore, and kept her some time. I owned one half and Mr. Coblens bought the other half. He paid all the money for her, and went on and repaired her at an expense of 2,500 and odd dollars, I think; then I sold him out the whole interest for $600 advance. I got $600 profit.

Question. How much did you get per day for the Patapsco?

Answer. The charter-party was $85.

Question. What was her tonnage?

Answer. I do not know now, but I think in the neighborhood of 100 tons; it may be less. She is an iron boat, a flat boat, of very light draught of water, with two engines. She may be over 100 tons; she would take 250 or 300 soldiers and carry a good many stores on four feet water.

Question. You saw Captain Loper first, in relation to this subject, at Annapolis?

Answer. I met Captain Loper at Annapolis when I went down to get my charter-party for the Herbert; I did not know he was there until I went down.

Question. When was that?

Answer. That was the last of December, 1861. The Murray and the Herbert were at work at Annapolis, and were about to leave to go upon this expedition, and I went up to see them off, and met Capt. Loper.

Question. You then came down before the Burnside expedition to Washington and the War Department, and there you saw Mr. Tucker?

Answer. No, sir; it was after this; the Burnside expedition started before the McClellan expedition. The Burnside expedition started from Annapolis about the middle of January, and Mr. Stanton had not advertised for these vessels for the McClellan expedition before the first of February.

Question. Am I right in understanding you that your percentage is divided with Captain Loper only in regard to the Burnside expediton?

Answer. No, sir; the McClellan expedition; the Burnside expedition was all made up and gone before I saw Captain Loper. These two vessels I chartered to Gen. Burnside, his chief engineer examined them, and the charter-parties were signed by Mr. Tucker, I think, in Philadelphia; I know I sent them on there, and they were signed.

Question. You then went to Philadelphia from here, and saw Mr. Tucker and Captain Loper?

Answer. No, sir; I saw Mr. Tucker here, first.

Question. You then went to Baltimore and ascertained the number and character of vessels you were to supply?

Answer. Yes, sir.

Question. Then you carried that list on to Philadelphia?

Answer. Yes, sir; with the tonnage, length of decks, width and breadth of beam, &c., of the vessels; and there they established the price for the sailing vessels.

Question. Did you go to Philadelphia more than once?

Answer. Yes, sir. I do not believe that I went to Philadelphia after the interview I had then for two months.

Question. What did you go back to Philadelphia at that time for?

WITNESS. What time?

The CHAIRMAN. The last time.

Answer. I don't remember when I was there after that; it was on no business connected with the government, though.

Question. Have you not sworn upon a previous occasion that you went to Philadelphia, and there found out the character of the vessels that Mr. Tucker would employ, and then came back to Baltimore to see about getting them?

Answer. No, sir.

Question. Have you not so sworn?

Answer. No, sir; I don't think I have; I have sworn that I came here to Washington after I saw the letter of Mr. Stanton, and then saw Mr. Tucker, and he stated to me the class of vessels they would want, but they had not set a price; they would go into all the markets and see what they could be got for, and put the price accordingly; they established the price on Monday after that. I never saw Mr. Tucker until I saw him here; if they have that down here in my testimony it is down wrong. The first I knew of this was this advertisement of Mr. Stanton.

Question. You say you have received $45,000 of commissions?

Answer. Yes, sir; I think about that.

Question How many vessels are there now in the government employ upon which you are receiving five per cent. upon their earnings?

Answer. It is not a large number now; most of the McClellan expedition are out.

Question. Please state the names of the vessels upon which you are receiving five per cent.

Answer. I cannot recollect.

Question. You must try and recollect. A man who is receiving five per cent. revenue from a ship should be able to tell her name.

Answer. I have every ship, and the commission received and the prices attached, on my books.

Question. We desire you to furnish us that list.

Answer. You can get it from Mr. Watson.

Question. We prefer having it in your testimony. We desire to know what vessels are now in the employ of the government chartered by you.

Answer. I can give you some.

Question. Take the steamers.

Answer. The steamer Baltimore.

Question. At how much per day?

Answer. At $250 a day. The steamer Fairy Queen and the steamer Edwin Forrest are $45 each per day; the steamer Georgia is at $350 a day; she is a large boat; the steamer Portsmouth and the steamer Juniatta. I think all the other boats have been discharged, but I am not certain of it. For schooners, there is the schooner Julia Smith, the West Wind, the Norman, the Emily Amelia. I should think there are about twenty schooners probably in the service now. I cannot tell all the names. I think the Fairy Queen and E. Forrest are at $40 a day.

Question. What is their tonnage?

Answer. They would average, I suppose, 150 tons.

Question. How much are they chartered for per ton?

Answer. Four dollars per ton per month. That was the price established by the War Department. I believe in all cases that is what they have paid. There is no case where it is over that, and in some cases it is less. The uniform price was four dollars per ton per month, the custom-house registered tonnage.

Question. Upon all the vessels you have named, and no others, you are now receiving upon their earnings five per cent. and no more?

Answer. I would not say I have named all, but to my best recollection. There is a lot of barges.

Question. Are you not receiving ten per cent. on the Portsmouth?

Answer. No, sir; this is a new charter. There was an old charter.

Question. Under the old charter you received ten per cent.?

Answer. Yes, sir; but not on the full amount received from government. It would amount to seven and one-half per cent. on the amount paid by government.

Question. Who signed the charter-parties of the vessels you chartered?

Answer. Captain Hodges signed the biggest part of them for the McClellan expedition; for those in the department at Baltimore, Col. Belger.

Question. Did Mr. Tucker sign any?

Answer. No, sir; I don't think Mr. Tucker signed any since he has been Assistant Secretary of War. Previous to that he did.

Question. Did you sign them for the owners of the vessels?

Answer. In a good many cases I did.

Question. Who signed them in other cases?

Answer. The owners and captains. In the case of the barges for the McClellan expedition, the bargemen had no money, and they had to have anchors and chains and tow-lines for two months, and I furnished all the barges with supplies and took the charter-parties in my own name for security.

Question. Did you in your former testimony swear that you paid McFarlane $450 interest for $500 for three months?

Answer. No, sir; I think I swore the same then as now.

Question. Did you not, also, on a former occasion, swear that you paid McFarlane $500 for throwing vessels into your hands?

Answer. No, sir.

Question. Are you sure you did not swear to that?

Answer. I do not know about that. I asked them to read my testimony over to me when it was taken by Mr. Baker, but he would not do it. There was no bargain between Mr. McFarlane and me.

Question. You never paid McFarlane any other sum than $500?

Answer. I never paid him more than that. I think it was only $450. You can put it for commissions received for vessels, or for the use of the money, or any other way. There was nothing said about it.

Question. You spoke of giving your testimony to Mr. Baker, what Baker was that?

Answer. This detective Baker; I gave my testimony there

Question. Do you say you do not know what you swore to on that occasion?

Answer. I asked him, after he took down the testimony, if he would not let the clerk that took it down read it over to me before I signed it, so that I might know that it was all right. He said, no, they were in a hurry to go away; and I signed it, and I found he reported to Mr. Stanton different from what it was, and I came down here and told him, "Mr. Baker, the testimony you have down is wrong, as I understand, and I want to correct it." He asked how? I said, "As to charter parties. I understand that you said to Mr. Watson that I stated in my testimony that the charter parties were handed to me signed for me to fill up, and I had them so in my office. That is a mistake. When I left Philadelphia on the 24th day of February, 1862, Captain Hodges handed me six or seven hundred blank charter parties for me to bring home to have them filled up by my clerk, and to have the owners sign them, and Captain Hodges would be there on a certain day and sign them himself."

Question. Did you know a clerk named Bixler?

Answer. Yes, sir.

Question. Did you ever give him Mr. Coblen's check for $500?

Answer. No, sir. I gave him my own check for $450. I was requested to do it. It was paid back to me.

Question. What was it for?

Answer. I do not know. I understood it was $450. They paid it to him, handed it to him and Coblens paid me the money back.

Question. You say that only one government tug in the harbor was used for tugging private boats?

Answer. I would not say that.

Question. Did you not say that in the former part of your testimony?

Answer. No, sir; I said one tug was kept in the harbor all the time for towing.

Question. Did you not say that only one tug was kept?

Answer. That was the only tug employed all the time, but others used to go up and down.

Question. Do you not know that the Patapsco was used there to tow private vessels?

Answer. I have no doubt of it.

Question. Was she not used upon your direction?

Answer. Upon certain occasions she was.

Question. Did you receive pay for it?

Answer. Yes, sir.

Question. Was the Haswell?

Answer. Yes, sir, at this same time.

Question. Was the Fairy Queen?

Answer. Undoubtedly, at the same time.

Question. And you received the pay?

Answer. Yes, sir.

Question. You did not enter upon your books any credit to the government against yourself for it?

Answer. No, sir; I did not keep any books of it, but I have receipts to show what I paid. I paid something like $500.

Question. What did the Patapsco cost?

Answer. I paid the city $1,200 for her.

Question. And you chartered her for $85 a day?

Answer. Yes, sir.

Question. Who does she belong to?

Answer. Mr. Coblens.

Question. How long has she been under this charter?

Answer. She has been out of the charter for some time.

Question. For how long?

Answer. I do not know.

Question. Where is she?

Answer. In Baltimore, I think.

Question. How long was she in the employ of the government?

Answer. About four months, I think.

Question. When did the government cease to employ her?

Answer. I cannot say.

Question. Was it since December 1st?

Answer. No, sir; I think she was out of service before that. That is my impression. She was of the same class of boats with some similar boats in New York, that were chartered at $120 a day. She would go where some boats of that class could not go. The boats that carried the same amount of troops and stores were chartered at $120 a day. Having two engines she could turn around in her own length, and that made her very handy in going up creeks and bays.

Question. Do you know a man named Captain Sargeant, acting as quartermaster?

Answer. No, sir; I don't believe I do.

Question. Have you ever chartered any vessels for Andrew Gray?

Answer. Yes, sir. Of the firm of Kelsey & Gray.

Question. How many?

Answer. I have taken a good many vessels for that firm.

Question. What did you charge them?

Answer. The owners of the vessels paid me five per cent.; in some cases we divided, and I only got 2½ per cent. and they got 2½ per cent. Kelsey & Gray are ship-brokers, likewise.

Question. Did you charter vessels for them for the McClellan expedition?

Answer. I took vessels that they had to come to them.

Question. Any for the Burnside expedition?

Answer. No, sir; the Burnside expedition I had nothing to do with.

Question. You have been chartering of them all along?

Answer. Yes, sir; when they had a vessel to suit.

Question. Did you ever charter any of Richard M. Heslen?

Answer. Yes, sir.

Question. How many?

Answer. A good many.

Question. How much did he pay you?

Answer. The money was paid by the owners of the vessels.

Question. How much did you receive on the vessels you chartered of him?

Answer. Five per cent. and two and a half per cent.; a good many of them were two and a half per cent.

Question. Did you not, for the vessels chartered for the Burnside expedition, receive of him seven and a half per cent.?

Answer. I received only two and a half per cent. on the Burnside expedition, myself.

Question. Who received the rest?

Answer. Mr. Brant

Question. Who was that?

Answer. The man who had the water contract.

Question. What is his full name?

Answer. J. Brant, jr.

Question. Did he get five per cent.?

Answer. Yes, sir.

Question. How came he to have five per cent.?

Answer. I don't know, I am sure. He had the contract for the supply of the water for the Burnside expedition, and I got the vessels for him with a great deal of trouble, and I got two and a half per cent., and that is all.

Question. Did Heslen know of Brant in the transaction?

Answer. Yes sir.

Question. Did they know that five of the 7½ per cent. was going to Brant as commission?

Answer. Certainly.

Question. Did Heslen?

Answer. Certainly he did. I told him so.

Question. How happened it that you did not charge your usual percentage in that case—that you divided with Brant?

Answer. I did not divide with Brant, but Brant told me he must have five per cent. on the vessels.

Question. What claim had Brant on the five per cent.?

Answer. I don't know anything about that.

Question. Why did you allow him to have it?

Answer. He put the business in my hands, and I gave him that for the business.

Question. Where does Brant, jr., reside?

Answer. In Baltimore. He had a contract and gave me that business; he could not attend to it himself, and gave it to me and I attended to it, and got two and a half per cent. for my trouble, and the owners paid him five per cent; that is, on the Burnside expedition.

Question. Did you tell any one that nobody could charter any vessels to government but you?

Answer. No, sir; never in the world.

Question. Did you ever attempt to create that impression?

Answer. Never in the world.

Question. Do you know of anybody else attempting to create that impression?

Answer. I do not know what anybody else did.

Question. Do you know that?

Answer. No, sir; I have no knowledge of any such fact.

Question. Did you ever give Mr. Heslen blank charter-parties to fill up?

Answer. Yes, sir.

Question. Did you to Mr. Gray or any other parties?

Answer. Yes, sir. What I mean by blank charter-parties is merely the printed forms. For instance, if they had a vessel I would tell them, take these charter-parties.

Question. Did you ever give to Mr. Heslen any blank charter-parties previously signed by Col. Belger, Captain Hodges, or Mr. Tucker?

Answer. I never had such a charter-party in my possession in the world. I never had a charter-party signed by any officer of the government in the world before it was filled up.

Question. You say the business you received from Mr. Heslen you received through Mr. Brant?

Answer. No, sir. I took vessels from all these parties for Brant—from different brokers, different people.

Question. I understand you to say that the reason Brant had a claim on you for five per cent. of this seven and a-half per cent. paid by Heslen was that Brant threw Heslen's business into your hands?

Answer. No, sir.

Question. Then I put the question again: how came it that Brant received five per cent.?

Answer. Brant engaged me to furnish transportation for this expedition, and I would take the vessels of anybody that had them. If Mr. Heslen had a vessel suited to the water, that would not draw over eight feet, I took it; it was very difficult to find them. If a man sent such vessel to him, say, from Boston, and we examined her and found she would do, I would take that vessel, and I would take two and a half per cent. and pay Mr. Brant five per cent. The owner of the boat paid seven and a half per cent. I would take some of Kelsey & Gray, and any other parties in Baltimore. I took them of all parties.

Question. Were these charter-parties you speak of now, on which Brant got five per cent., signed by Brant and the government agent?

Answer. Yes, sir; I think they were signed by Mr. Tucker before he was Assistant Secretary of War.

Question. What right had Brant to control the employment of these vessels, and how could he designate them?

Answer. Brant had a contract for the water; we were to furnish the water. Mr. Brant had the contract for the water and he was to put it on board the vessels at such a price, and the contract was that the vessels should not draw over eight feet of water loaded going to Hatteras Inlet. Whenever he wanted a vessel to carry so many barrels I would go into the market and get it. That was his contract. He claimed five per cent. commission on the vessels.

Question. Did Mr. Tucker know that you and Brant were dividing seven and a half per cent?

Answer. I do not know; no, I do not think he did.

Question. Did Colonel Belger?

Answer. No, sir; Colonel Belger did not know anything about it.

Question. Did Colonel Belger know that you were getting five and seven per cent. on all these vessels?

Answer. I do not believe that he knows anything about it.

Question. Did he know you were getting a per cent. at all?

Answer. I do not believe he did.

Question. Did you ever have a conversation with him on that subject?

Answer. Not a word.

Question. Was there ever any conversation between him and any other parties on this subject in your presence?

Answer. Not to my knowledge.

Question. Or between you and any other parties in his presence?

Answer. No, sir; not until since this thing came out; within a month or six weeks. I never received one dollar from the government for my services rendered in any way, shape, or manner, and I have been employed night and day and Sundays.

Question. Did you charter the barge Delaware?

Answer. Yes, sir.

Question. For how much?

Answer. The barge Delaware and the tug-boat Lioness were chartered together. My impression is now that it was $120 a day for the two for one month, with the privilege of taking her as long as they wanted her.

Question. How much is the Lioness worth?

Answer. About six or eight thousand dollars.

Question. There is a difference between six and eight thousand dollars?

Answer. If they under charter she was worth eight thousand—not under charter six thousand.

Question. Was she worth $6,000?

Answer. Yes, sir; I think she was, without a charter.

Question. Do you know about the Telegraph?

Answer. I know of such a boat, but I had nothing to do with her; I did not charter her, and I had nothing to do with chartering her.

Question. How much is the barge Delaware worth by herself.

Answer. I should think that barge was worth $2,500.

Question. How much would she be worth a day?

Answer. I know that Captain Hodges and Mr. Tucker thought she was the cheapest thing they chartered.

Question. I ask for your opinion?

Answer. As they were paying for vessels, I think she was worth seventy dollars a day—sixty or seventy.

Question. How much did the barge Delaware cost you to run her per day?

Answer. The government did not pay it.

Question. How much did it cost the owners?

Answer. Six or seven dollars a day, to say nothing about the insurance, and that was very heavy, for they run the sea risk. She was a very large barge, double-decked, carrying a thousand barrels under deck and 110 mules or horses between decks, and then troops on the upper deck.

Question. Did you, in any instance, receive twelve per cent. commission?

Answer. I don't remember that I ever did.

Question. Do you not think that if you had done so you would have recollected it?

Answer. I don't remember twelve per cent. in any case. Ten per cent., I think, is the highest I received; not ten per cent., as I told you before, on the amount received from government, because there was twenty or thirty a day off for insurance.

Question. Have you ever discounted any for the owners or brokers of these vessels for procuring the amount due?

Answer. Yes, sir.

Question. For whom?

Answer. For different parties.

Question. How much have you charged for that?

Answer. Before they had a certificate, and before the charter-party was due, for instance, I have charged one per cent., two per cent., two and a half per cent.

Question. Have you ever charged more than two and a half per cent?

Answer. I do not know; I may have charged five per cent.

Question. Have you charged five?

Answer. I could not say.

Question. Have you not charged more than five?

Answer. I don't think I have.

Question. Are you willing to swear that you have not charged more than that?

Answer. I do not think I have ever got five per cent., unless there was something else connected with it. If a man came and wanted to get his money in advance, I have advanced it. I have advanced a good deal of money. I have paid one per cent. a month to banks, to get money to advance to these captains and owners.

Question. How much have you received for these discounts?

Answer. I cannot say; not a very large amount.

Question. State it approximately.

Answer. I may have received $3,000.

Question. Have you received more than $3,000?

Answer. I don't believe I have. I cannot tell you. It takes a good many items to make up $3,000. These charter-parties were most of them barges, and would not amount to more than $300 a month?

Question. Have you, in any instance, discounted as low as one per cent.?

Answer. Yes, sir; I have advanced a good deal of money, and never got a cent for it.

Question. Who have you discounted for at one per cent.?

Answer. I cannot tell the names; but different barges.

Question. Who at one and a half per cent.?

Answer. I cannot tell the names; but I have furnished captains a large amount of money and never charged a cent.

Question. Who have you discounted for at two per cent.?

Answer. I cannot tell you the names; I might tell the names of the barges.

Question. Tell the names of the barges.

Answer. It is difficult to carry the names of so many barges.

Question. We can get it by calling the owner of the boat, if you will name the barge.

Answer. I cannot tell the names; I kept no account of it.

Question. Who have you discounted for as low as two and a half per cent.?

Answer. I have kept a good many barges chartered. You see, these charter-parties were payable in New York and Washington.

By the CHAIRMAN. You can answer yes or no without encumbering the record so much.

Question. Who have you discounted for at three per cent.?

Answer. I cannot say.

Question. Who at five per cent.?

Answer. I cannot say in any instance.

Question. I understand you to say you have discounted in a great many instances?

Answer. I would not say a *great* many instances. I would not put the emphasis on it very strong.

Question. And you cannot remember the name of a person for whom a discount was made, nor the name of a vessel?

Answer. On barges and schooners I have advanced money and waited until the charter party became due, and I have taken as high as one per cent. to three per cent. I don't think I have taken five per cent. The government has been paying in certificates that have been selling at one to three per cent. discount.

Question. With what other person besides Loper have you divided the percentage you made?

Answer. No one, sir.

Question. Have you made any agreement, or are you under any implied or absolute obligation in law or in honor, to divide with or pay to any one any sum of money for assisting you in making these charters?

Answer. Not to anybody, sir.

WASHINGTON, *Friday, January* 16, 1863.

AMASA C. HALL, recalled, testified further as follows:

Examined by the chairman.

Question. The subpœna that was served upon you directed you to appear here with your books. Have you them with you?

Answer. I have not. I believe it did not say anything about the books.

Question. It did say "books and accounts."

Answer. I did not notice that. It was almost ten o'clock when the gentleman came to my office. He had to go home at once, and was *in a hurry*. He was in such a hurry that I did not see that.

Question. Yau were directed also to produce a list of the vessels that you have chartered or have been instrumental in chartering. Have you that?

Answer. I expect to have it here every moment from the War Department. An exact copy is there.

Question. Why have you not made one during the past week, since that order was given to you, from your books?

Answer. The clerk I had, who attended to that business entirely, has been away, and Squire Sly, my counsel, had written to Mr. Watson to furnish the original, or get a copy made, and send it to me at Baltimore.

Question. When did you say you had your first conservation with Captain Loper in regard to furnishing transportation?

Answer. At Annapolis. That, I think, was about the 24th of January, 1862.

Question. Up to that time had you furnished no transportation to the government?

Answer. O, yes, sir; I had furnished some transportation for the department at Baltimore previous to that.

Question. How many vessels had you furnished previous to that time?

Answer. But a very few; merely for transporting some troops and some stuff on the eastern shore above.

Question. State what vessels they were.

Answer. The Pocahontas, the Georgia, and the Portsmouth, I think, were all the steamers.

Question. Had you furnished any sailing vessels or barges?

Answer. Very few sailing vessels; some few for a trip to carry some stores to the eastern shore.

Question. Had you at that time furnished all the transportation that was desired at Baltimore for the government?

Answer. I think I had, sir, up from the 1st of August.

Question. From the 1st of August, 1861, to February, 1862, you had furnished all the transportation that was furnished to the government at the port of Baltimore.

Answer. I would not say all, but all that I am aware of, or nearly all; there had been but very little. There was very little doing at that time for transportation.

Question. But whatever was done was done by you.

Answer. So far as I have any knowledge, yes, sir. There was very little. I don't think there were half a dozen vessels taken for the trip up and along in the fall. The business was very light, and pretty much all the stuff sent away to the army was sent on the railroad, so far as my knowledge extends.

Question. Have you chartered any vessels since you gave your testimony the other day?

Answer. Yes, sir.

Question. State what ones.

Answer. Colonel Belger has chartered them, sir.

Question. They have been chartered through you.

Answer. Yes, sir. I think there were about six or eight chartered for taking water.

Question. State the names of the vessels.

Answer. I don't know as I can call the names now. I think the William Carroll was one, the Silver Star, the J. H. Burnett, and two or three barges.

Question. Are those all that you have chartered since you were here before?

Answer. No, sir, I think not. I don't remember the names now.

Question. Whom were they chartered of?

Answer A great many individuals.

Question. State the names.

Answer. William Applegarth, Kelsey & Gray, R. M. Heslen. They are not their vessels, but they act as brokers.

Question. What per cent. did you get upon those?

Answer. Five per cent.

Question. And no more.

Answer. No, sir; not in any instance that I am aware of.

Question. Are you not positive whether you received more or less?

Answer. I believe that is all the percentage I got.

Question. Do you state positively that that is all the percentage that you received or are to receive?

Answer. I don't remember of any case of over five per cent. sir.

Question. If you took over five per cent. would you not recollect it?

Answer. Yes, sir; I think so.

Question. Then are you willing to swear positively that you neither have taken, nor agreed to take, more than five per cent.

Answer. I would not swear positively. My impression is that Mr. Heslen paid me twenty-five dollars extra on a vessel over and above five per cent.

Question. Who else paid you extra besides him?

Answer. I don't recollect anybody else.

Question. Can you recollect that nobody else did pay more?

Answer. I don't remember anybody else that did pay more.

Question. Do you recollect that nobody else did?

Answer. No, sir.

Question. Can you swear positively that nobody else paid you more?

Answer. No, sir; not at all. I look to my books to see.

Question. When did this transaction you speak of occur? Was it within the past week?

Answer. No, sir, I think not.

Question. When did you testify here before?

Answer. Last Tuesday, I think.

Question. I am interrogating you about transactions that have occurred since you gave your testimony before.

Answer. I would not swear that that was since or before.

Question. Have you agreed to receive, or required any party to pay, more than five per cent. since you testified?

Answer. I don't recollect of requiring it in any case. The twenty-five dollars of Mr. Heslen—I received it; I did not require it.

Question. Have you received, or has anybody agreed to pay you, more than five per cent. upon any contract since you were here before?

Answer. No, sir.

Question. Have you refused to charter vessels to parties who have testified before this committee?

Answer. I have refused to charter vessels of nobody.

Question. Have you declared that you would not charter vessels of persons who have testified before this committee, or before other parties who were investigating transactions in this connexion?

Answer. Not in a single case. I never said so. I said I would not charter of a secessionist—nobody else. I have been chartering of Mr. John Rhodes. A man came to me and asked me about it. I told him I had heard some talk of him. He said if I took any more of him he would report me to the government—to the custom-house and at Washington. I asked him why? He said, "because he is as rabid a secessionist as there is in Baltimore." I said I had had my suspicions of him and had not taken many of him on that account. He says, "I have been talking with him this morning, and he is as bitter as death."

Question. Who is the man with whom you were speaking?

Answer. He is the captain of the revenue cutter Jackson. I don't remember his name. I said, "That satisfies me that he is a secessionist." I made inquiries of several gentlemen, Charles M. Jackson, and several others, and they said the same. I inquired of the firm of Pratt & Brothers. Mr. Jones said he would not believe him under oath. I never have chartered a vessel of a secessionist if I could avoid it, in any case. When I found that they were secessionists I would not take them. I had instructions not to.

Question. Is that the reason that you would not charter vessels of Mr. Rhodes?

Answer. Nothing else, sir. I don't care what a man testifies here, so he testifies to the truth.

Question. You never have made any declaration to him or any one else that you would not charter his vessels because of his testimony?

Answer. To nobody, in no way.

Question. You never took him to account for what he had testified to?

Answer. Yes, sir, I did. I sent for him to come to my office. A friend of mine came to Baltimore and said that he, Mr. Rhodes, had testified that I had received $10,000 from Mr. Tome on one contract for lumber, and that I kept three bank accounts, and must have $100,000 on deposit. I sent for Mr. Rhodes. We had never had any difficulty or cross words. I have known him ever since I have been in Baltimore. I sent for him to come to my private office. He came in and I said, "I asked you to come here to ask you if such and such were the facts you swore to, as I understood; that I received $10,000 on one lumber contract, and kept three bank accounts. If you did, you must be mistaken. I never kept but one bank account, and I have never received one dollar on lumber contracts from Mr. Tome." He got up in the greatest rage and cursed and swore, and said, "If you sent for me to come here for that, I'll leave the office." I said, "I sent for you in a friendly way." He went and caught up a poker and came at me.

I said, "If you come to that, I'm your man. I have never had any trouble with you. I have taken your vessels when they suited me, but you must lay that poker down." Then he insisted upon it that he had had my check on the Western Bank. I said I had never had a dollar there. He swore he had; I said, "You are crazy."

Question. Have you bought any vessels since you were here before?

Answer. I bought one-fourth interest in one vessel.

Question. What vessel is that?

Answer. I think it is the Montague.

Question. Who of?

Answer. William Applegarth.

Question. Where is she?

Answer. Gone with a load of water to Beaufort. She went away, I think, on Monday.

Question. Under what charter?

Answer. She has gone under the charter of William Applegarth.

Question. Was she chartered when you bought her?

Answer. No, sir; she was not chartered.

Question. You got her chartered?

Answer. I told Mr. Applegarth that Colonel Belger wanted a vessel to take a load of water to Beaufort at four dollars a ton. She had been carrying water previous to that for government.

Question. How much did you pay for your one-fourth interest?

Answer. Twelve hundred dollars.

Question. What is her tonnage?

Answer. It is 166 tons.

Question. How long is she chartered for?

Answer. Only one trip.

Question. Is she chartered for any period of time?

Answer. The charter-parties say one month, or longer; and we have in all these charter-parties, according to the instructions of Colonel Belger, put in "for the trip." If she is gone only five days, she is discharged when she gets back—or two weeks.

Question. How did you pay for that interest?

Answer. I paid for it in cash; all of it.

Question. Did you charge Mr. Applegarth five per cent. upon the balance of the charter?

Answer. The owners of the vessel pay five per cent.

Question. To you?

Answer. Yes, sir.

Question. Do you get five per cent. upon the $1,200 you bought?

Answer. Certainly.

Question. Do you get any more than five per cent.?

Answer. No more.

Question. Is that the only vessel you have bought since you were here before?

Answer. Yes, sir.

Question. Do you know anything about the brig Susan Duncan?

Answer. I have one-eighth in her. I bought it about a month ago.

Question. Who are the other owners?

Answer. Kelsey & Gray's firm is one. I don't know who else.

Question. Who did you buy of?

Answer. I don't know. I bought of Kelsey & Gray. They came to me, and asked me if I wanted it.

Question. How much was it?

Answer. I think it was $625 in cash. She has gone with coal, I think, for the government. I don't know certainly whether it is coal or lumber.

Question. Who chartered her?

Answer. The charter-party is in Gray & Kelsey's name.

Question. Who effected it?

Answer. Colonel Belger.

Question. Through whom?

Answer. Through me.

Question. Was she chartered when you bought her?

Answer. I think not.

Question. How much is she chartered for?

Answer. Four dollars a ton. They are all for that.

Question. What is her tonnage?

Answer. I think it is 130 or 140 tons.

Question. For what length of time was she chartered?

Answer. For the trip.

Question. When you made this agreement with Captain Loper, to pay him one-half of the percentage that might be received upon vessels chartered for the McClellan expedition, why did you agree to pay him that?

Answer. I did not agree to pay him one half.

Question. What did you agree?

Answer. It might be considered one half on the McClellan expedition, but on no other expedition.

Question. Why did you agree to pay him on the McClellan expetion?

Answer. For his throwing the business into my hands.

Question. Can you remember any business that he did throw into your hands?

Answer. I thing Mr. Loper is a man that has a good deal of influence.

Question. Do you remember any ship or vessel that he has sent to you to be chartered?

Answer. I can't name any one in particular.

Question. Can you now name the owner of any one?

Answer. No, sir.

Question. Can you name the captain of any one?

Answer. I don't know as I could.

Question. Can you name the broker or agent of any one?

Answer. Mr. Loper has sent a good many men to me.

Question. Who are they?

Answer. I can't tell the names.

Question. You cannot remember the name of the vessel, owner, captain, agent, or broker?

Answer. No, sir; I can't say.

Question. Did Captain Loper render any consideration for the $13,000 that you paid him?

Answer. I think he did.

Question. In what did it consist?

Answer. In the first place, in the influence he would have with different people.

Question. What people?

Answer. Well, say with the government.

Question. Then the consideration for which you paid him $13,000 was for the interest he made for you with the department?

Answer. I don't say about the interest; but he is a man of influence, acquainted with everybody.

Question. Who did you suppose in the department he would exercise his influence over?

Answer. No one in particular.

Question. How came you to agree to pay one half of your percentage, or $13,000, for a man's influence, when you did not know who that man's influence was to be exercised in favor of?

Answer. I know Captain Loper has been in public business for years and years, and knows what is going on and all the vessels.

Question. You have already testified that up to the time you saw Loper at Annapolis you were then doing all the business of this kind of the government at Baltimore?

Answer. But it did not amount to much then.

Question. You were doing all there was to do; why did you agree to pay Loper one half of your percentage upon your business thereafter?

Answer. I didn't know anything about it; I did not suppose the business was going to amount to one half or one quarter what it has. I did not suppose when the vessels were chartered for the McClellan expedition that it would last more than thirty or forty days.

Question. Did any one advise you to employ Captain Loper?

Answer. No, sir; I have been acquainted with him for ten years.

Question. Did any one intimate to you that you ought to employ him?

Answer. No, sir.

Question. How did it happen that Colonel Belger was in the habit of directing owners and brokers of vessels to you when they wanted to charter vessels?

Answer. I can't tell you; after I answered the advertisement of Mr. Stanton when he advertised for proposals, as I stated before, I then came to Washington and had an interview with Mr. Tucker; after that I was requested to furnish a list of all the vessels that were to be had in Baltimore, and take the list to Philadelphia, as I stated before; I then went to Philadelphia, and they accepted of the schooners, tugboats, and steamboats that I offered as agent for the owners; they told me then I must keep it a secret and keep it as quiet as possible, and take but one or two vessels at a time.

Question. When was that?

Answer. That was the 24th of February; that was to be kept as quiet and secret as could be—not to let any of the captains know where

they were going, or anybody else ; I came back then and commenced taking up vessels, two or three at a time; I did not let them know how many I wanted. I did not let them know I had accepted of the whole of them, because I was fearful if I did it would raise the price. After I commenced taking up vessels, I have no doubt that some broker went to Colonel Belger, thinking he had the chartering of these vessels, and asked if he wanted any vessels, and he would state to them that he did not want any vessels; then they would come to me and ask if I wanted them, and I would take them.

Question. Colonel Belger swears that Mr. Tucker wrote to you to take up the vessels?

Answer. Yes, sir.

Question. Is that so?

Answer. Yes, sir.

Question. Colonel Belger says: "He (you) was written to by Mr. Tucker. I do not know anything about it further than that Mr. Hall brought these contracts to me with instructions from Mr. Tucker to sign them in order to make them complete instruments?"

Answer. Certainly ; that is right. I will explain about that. As to this McClellan expedition, now: After I had taken up all the steamers and tug-boats and vessels that were accepted at Philadelphia at that time, those charter-parties were made out, and in three or four weeks they had Captain Hodges to come along and sign the whole of them. After this list was completed I received a telegram from Mr. Tucker to take up so many vessels and send them to Fredericksburg forthwith, without any regard to fixing up for horses or anything else. It was to Fredericksburg or Alexandria ; I forget which. Those charters Captain Hodges did not sign. Then I wrote to Mr. Tucker that Captain Hodges refused to sign those charter-parties. He did not know anything about it ; and some of the captains refused to go to sea without a charter-party. He then wrote to me that he had written or telegraphed to Colonel Belger, and for me to call on Colonel Belger, and he would "do the needful." I think it was that—"do the needful."

Question. Major Belger swears: "I did not know anything about it further than Mr. Hall brought these contracts to me, with instructions from Mr. Tucker to sign in order to make them complete instruments. He had already chartered the vessels himself by direction of Mr. Tucker."

Answer. Yes, sir ; that is true.

Question. Then the vessels were chartered by you by direction of Mr. Tucker?

Answer. Yes, sir ; I have a letter that shows it.

Question. That was in regard to the McClellan expedition?

Answer. Yes, sir.

Question. Did you not make all the charters under the direction of Mr. Tucker?

Answer. Well, those that I took in Philadelphia on the 24th were filled out by different parties that I took the vessels from. They were filled out by the different parties, and the owners signed them, and then Mr. Hodges.

Question. But the charters were effected by you at the instance of John Tucker?

Answer. Yes, sir; Mr. Tucker and Captain Hodges. Colonel Belger did not know anything about it at all. He never had any intimation of it, or knew anything about it, to my knowledge.

Question. Was not that also the case in regard to other contracts made by you? Does not your letter from Mr. Tucker show that you subsequently, April 10, acted under the direction of Mr. Tucker?

Answer. I think the 17th day of March I got this telegram from Mr. Tucker to take up these extra vessels—I would not be certain about the date. They were taken up and charter-parties filled out. They wanted them perfected by some quartermaster, and it brought this answer. It is as follows:

"BALTIMORE, *April* 10, 1862.

"DEAR SIR: I received your letter of yesterday this morning, at Washington. I was suddenly called away from here. I have written a note to Major Belger requesting him to do the needful.

"Please see him at once.

"JOHN TUCKER,
"*Assistant Secretary of War.*

"A. C. HALL."

Question. How came Mr. Tucker to employ you?

Answer. It was through this advertisement of Mr. Stanton's.

Question. How do you know it was through that?

Answer. I think it was through that, because I never saw Mr. Tucker in my life until I sent this letter in answer to that advertisement of Mr. Stanton.

Question. Was not that advertisement answered by other merchants, shippers, &c., in Baltimore?

Answer. I cannot say whether anybody answered it except myself, or not. I saw the advertisement, and took a great deal of pains to get the information, and reported to him. That was the only thing I know of that brought me in contact with Mr. Tucker and the War Department. It was my answer to that advertisement.

Question. What time was that advertisement.

Answer. Some time in the fore part of February it was made, I think.

Question. You did not see Captain Loper at the War Department when you came down here to answer the advertisement?

Answer. No, sir.

Question. You did not see him until you saw him at Annapolis?

Answer. Oh, that was a long time before, in January, that I saw him at Annapolis.

Question. You had made the arrangement before with him?

Answer. Yes, sir. There was no arrangement. There was an understanding that he should give me all the business he could in Baltimore. He told me there would be a great many vessels and steamers wanted, and I told him I was out of business and had no business on hand except the commission business, and would like to

get the chartering of the vessels in Baltimore. Shortly after this I saw Mr. Stanton's advertisement.

Question. Did Captain Loper tell you to put in these bids in answer to Mr. Stanton's advertisement?

Answer. No, sir; I did not see him at all about it.

Question. When you made the arrangement with Captain Loper, at Annapolis, did he not tell you how to go to work to secure the transportation?

Answer. No, sir.

Question. Did he give you any advice?

Answer. He told me he would let me know, and would throw all the business he could into my hands.

Question. When did you next see him?

Answer. I think the next time I saw him after that was a day or two days before I went to Philadelphia.

Question. Did he advise you to go to Philadelphia?

Answer. No, sir; Mr. Tucker was the man who told me to go to Philadelphia.

Question. Why did you not attend to your business with Mr. Tucker here?

Answer. Captain Hodges, I understood, had gone to Boston. He was appointed by the War Department, with Mr. Tucker, to get up this expedition. I take it for granted he was, because he signed the charters. He had gone to Boston and New York, and they were to meet at Philadelphia and agree upon the price to be paid for the schooners and sailing vessels. Mr. Watson told me they would decide on Monday, that the price would be uniform for so many feet capacity or so much deck capacity to carry so many horses and mules, and he would let me know. When I got to Philadelphia they told me they had settled upon four dollars a ton, custom-house measurement; and they never have varied from that since, except sometimes it has been a little less.

Question. You chartered the Baltimore?

Answer. Yes, sir; she was taken that day.

Question. At how much?

Answer. The price they asked was $300, but they, Mr. Tucker and Captain Hodges, refused.

Question. Will you please to answer if you know the price at which you chartered her?

Answer. It was $250 a day.

Question. Is she still in the employment of the government?

Answer. Yes, sir.

Question. Are you getting five per cent. commission on her?

Answer. That was the agreement at the start.

Question. Are you getting more than that amount?

Answer. No, sir.

Question. Have you been paid more than five per cent.?

Answer. I believe I got seven and a half per cent. of Friend, Ricketts & Co.

Question. You got seven and a half per cent. as long as she was under a charter by Friend, Ricketts & Co.?

Answer. Yes, sir.
Question. Since they have sold her you are getting five per cent.?
Answer. Yes, sir.
Question. Are you getting no more than five?
Answer. No more, sir.
Question. Have you received no more than that?
Answer. No, sir.
Question. Have you any promise or expectation of more?
Answer. No, sir.
Question. Did you charter the Cecil?
Answer. I did. I chartered her to Captain Hodges and Mr. Tucker.
Question. Is she still in the employment of the government?
Answer. No, sir; I only got one payment on her.
Question. Was she lost?
Answer. No, sir; she is in Baltimore. She is putting on repairs.
Question. Who does she belong to?
Answer. Mr. Coblens, I think.
Question. Who did he buy her of?
Answer. Mr. Rice.
Question. Did you buy her for him?
Answer. No, sir.
Question. Did you get any commission on her sale?
Answer. No, sir.
Question. Did you induce him to buy her?
Answer. No, sir.
Question. Did you ever tell Coblens he must buy her?
Answer. No, sir.
Question. Do you know of anybody else telling Coblens so?
Answer. No, sir.
Question. Do you know of any other inducement that led Mr. Coblens to buy her except to make a profit?
Answer. Mr. Pickrell went down and came back, and said, "What do you think Mr. Rice wants to sell this boat for?" That was the first I heard of it. He said he offered to take $5,000 for her. I said, "Take her by all means. She is the cheapest steamer in the country. Don't let her slip. Take her by all means." He sent right down and secured her.
Question. Did you charter the Kent?
Answer. Yes, sir.
Question. Is she discharged?
Answer. She has been in the government service for a long time. I don't think she is now.
Question. Did you charter her?
Answer. Captain Hodges took her.
Question. Are you getting five per cent. on her, or more?
Answer. I have not got that yet.
Question. Have you got the promise?
Answer. Yes, sir.
Question. Of how much?
Answer. About ten per cent., I think, sir.
Question. Did you charter the Pioneer?

Answer. Yes, sir.
Question. Is she still in the employment of the government?
Answer. Yes, sir.
Question. How much are you getting on her?
Answer. I have never got more than one payment on her.
Question. What agreement have you?
Answer. I have no agreement?
Question. Is not the broker or owner who chartered her under obligations to pay you?
Answer. He said he would pay me.
Question. Do you expect a compensation?
Answer. I expect to receive some.
Question. How much?
Answer. Ten per cent., I expect.
Question. Did you charter the Wilson Small?
Answer. I did charter her.
Question. Is she still in the service of the government?
Answer. She has been discharged a long time.
Question. How much did you get on her?
Answer. Five per cent.
Question. And no more?
Answer. No more.
Question. Did you charter the Portsmouth?
Answer. Yes, sir; I chartered the Portsmouth.
Question. How much did you get on her?
Answer. Seven and a half per cent.
Question. Have you chartered the Juniatta?
Answer. Yes, sir. Those three boats, the Portsmouth, the Juniatta, and the Phenix, are alike.
Question. The Pacific?
Answer. May be it is the Pacific. I thought it was the Phenix.
Question. Who did you charter them of?
Answer. Mr. Tome.
Question. Did you charter no more than three boats of him?
Answer. I believe not.
Question. Are you certain?
Answer. I believe not.
Question. What percentage do you receive on them?
Answer. They have all been out of service for a long time.
Question. How much did you get while they were in the service?
Answer. Seven and a half per cent.
Question. And no more?
Answer. I got no percentage on the amount of the charter except 7½ per cent.
Question. What other consideration did you receive from Mr. Tome for the charter?
Answer. Not any.
Question. Then the whole amount you make upon these boats is seven and a half per cent?
Answer. Yes, sir; on the charter.
Question. Did you charter the Ajax?

Answer. Yes, sir.
Question. Is she still in the employment of the government?
Answer. No, sir.
Question. What did you get on her?
Answer. Five per cent.
Question. No more?
Answer. No, sir, during the time she was in government employ.
Question. Did you charter the Georgia?
Answer. Yes, sir.
Question. Is she still in the employment of the government.
Answer. Yes, sir.
Question. How much are you receiving on her?
Answer. Colonel Falls agreed to pay me $25 a day.
Question. Is that your commission?
Answer. Yes, sir; I don't know as I ever got it, or ever shall.
Question. That was the understanding?
Answer. Yes, sir; he said he would give me that.
Question. Did you charter the Columbia?
Answer. The Columbia was chartered for $350 a day.
Question. How much did you get?
Answer. They gave me $50 a day on her.
Question. What about the Haswell?
Answer. The Haswell was chartered at $40 a day.
Question. How much did you get on her?
Answer. Five per cent.
Question. No more than that?
Answer. It don't amount to that. I gave the men so much a day and agreed to pay for the repairs. She broke down half a dozen times, and I gave her up and threw her out of service, and then he sold her to Mr. Pickrell, and they went to work and laid out a great deal on her and got her in service. I only got five per cent., on the average.
Question. The Fairy Queen?
Answer. She is not mine now.
Question. Is she in the employment of the government?
Answer. Yes, sir.
Question. You get five per cent. on her?
Answer. I did.
Question. The tug Pilot—did you charter her?
Answer. Yes, sir; I chartered her.
Question. What did you get on her?
Answer. Five per cent.
Question. Did you get no more than that?
Answer. No, sir.
Question. Is she still in the service of the government?
Answer. She was lost, I think.
Question. Did you charter the Patapsco?
Answer. The Patapsco was first chartered as mine.
Question. How much are you getting on her now?
Answer. She is not in the government service.

Question. How much did you get on her after she was sold, and while she was in the government employment?

Answer. Five per cent.

Question. Did you get no more than that?

Answer. No more.

Question. The James Baker—how much did you receive on her?

Answer. Five per cent.

Question. Not more than five?

Answer. No more, sir.

Question. The Edwin Forrest?

Answer. She was mine and I sold her.

Question. Is she still in the employment of the government?

Answer. Yes, sir.

Question. How much are you getting on her?

Answer. Five per cent.

Question. No more?

Answer. No, sir.

Question. The Major Brewerton—what did you get on her?

Answer. Five per cent.

Question. Not more than that?

Answer. No, sir.

Question. Is she still in the employment of the government?

Answer. No, sir; she is out.

Question. Are those all the steamers that you have chartered for the government?

Answer. I think so.

Question. Are you confident?

Answer. I can't say. I think that is all there is.

Question. In no case of any vessel that I have named are you getting more than five per cent.?

Answer. No, sir; I think not.

Question. Do you know anything of the schooner T. W. Rumsey, the Lamartine, the R. S. & A. Ward, and the Belle R. How?

Answer. I don't know about the Bell How. I know the Rumsey and Ward. I don't remember the Lamertine. I sent the Rumsey and Ward to Annapolis to Captain Slate. He chartered them, and the charter-parties were signed by Mr. Tucker.

Question. Are you getting any per cent. on them?

Answer. I am getting two and a half per cent. I have the promise of five per cent. but have not got it.

Question. Who are you acting with?

Answer. With Mr. Heslen.

Question. You are getting only two and a half per cent. of that?

Answer. That is all.

Question. Mr. Heslen is getting the balance?

Answer. I suppose so.

Question. Do you know of anybody else getting any on these bills?

Answer. No, sir.

Question. Do you know anything of the Lamartine?

Answer. No, sir.

Question. Nor the Bell How?

Answer. No; sir.

Question. When did you charter the Rumsey?

Answer. I think the Rumsey was chartered in January last.

Question. When did you charter the Ward?

Answer. The Ward a few days after, I think. That was January a year ago.

Question. Do you remember what you chartered the Rumsey at?

Answer. No, sir; I did not set the price.

Question. Do you recollect what you chartered the Ward at?

Answer. No, sir.

Question. You cannot remember about the Bell How?

Answer. No, sir. I don't think I had anything to do with the Bell How?

Question. How many barges have you chartered for the government that are now in government employment?

Answer. It is my impression that there are now in the government employment seventy or eighty barges that I chartered.

Question. What is the average amount that they are chartered for?

Answer. Three hundred dollars a month each.

Question. Are you receiving a percentage upon the charter-party of each one of those barges?

Answer. Yes, sir.

Question. How much?

Answer. Five per cent.

Question. Are you in no case receiving more than five per cent.?

Answer. No, sir.

Question. Neither directly or indirectly?

Answer. No, sir.

Question. Do you know anything about the schooner Ellen?

Answer. I believe there is such a schooner.

Question. Is she still in the government service?

Answer. I think not. I think she was in the McClellan expedition; but is not now in the service. She may be though. I don't know. I would not say for certain.

Question. If she is, are you getting a per cent. on her?

Answer. Yes, sir.

Question. How much?

Answer. Five per cent.

Question. Are you not getting more?

Answer. No, sir.

Question. The James Jones? Is she now chartered?

Answer. I don't think she is in the service. She has been.

Question. If she is, you are getting five per cent. on her?

Answer. Yes, sir.

Question. The Norman? Is she in the service of the government?

Answer. The Norman is in the service.

Question. The Minnehaha?

Answer. She is out of the service.

Question. Is the Mary Brewer?

Answer. She has been out a long time.

Question. The E. Nickerson, the Glover, the Algomar—are they in the service?

Answer. They are out of the service.

Question. The Israel H. Day?

Answer. She was discharged yesterday.

Question. You have been getting a percentage on her?

Answer. Yes, sir.

Question. When did you charter her?

Answer. In April or May.

Question. How much did you get on her?

Answer. Five per cent.

Question. The J. H. Burnett, the Davison?

Answer. They are out.

Question. The A. H. Mailler?

Answer. I think she is in service now—taken up a second time. I took her up.

Question. The Vincent Barkalew?

Answer. She is out of service.

Question. The Richard A. Wood?

Answer. She is in the service.

Question. What are you getting on her?

Answer. Five per cent.

Question. Are you getting no more than five per cent.?

Answer. No more.

Question. The Lucy Church, the Benjamin L. Berry, S. D. Hart?

Answer. They are out.

Question. The George & Emily?

Answer. She is in service, I think.

Question. What are you getting on her?

Answer. Five per cent.

Question. The S. L. Simmons?

Answer. She is lost.

Question. The Malabar, the Merryman, the Bengal?

Answer. They are out.

Question. The Mary & Elizabeth?

Answer. I would not be certain, but I think she is in the service.

Question. How much are you getting on her?

Answer. Five per cent.

Question. The Young America, the Pennsylvania, the E. D. McClanahan, the John Forsyth?

Answer. They are out.

Question. The Emma Amelia?

Answer. She is in the service.

Question. How much are you getting on her?

Answer. I am getting five per cent. on her.

Question. Are you getting no more than five per cent.?

Answer. No more.

Question. The Mohawk?

Answer. I think she is in the service.

Question. The E. W. Farrington, the Belle of Cape Ann, the John Felton, the Luther Childs, the A. S. Ellis, the Mountain Avenue, the

George W. Grice, the Undine, the Southern, the Typhoon, the Alexander Law?

Answer. They are out.

Question. The Homer?

Answer. She is not in the service. I don't remember the name.

Question. The George W. Glover, the William Gregory, the Juniatta Patton?

Answer. They are out of service.

Question. The William L. Dayton?

Answer. She is in service.

Question. The Harriet Baker?

Answer. The Baker is out.

Question. The James H. Moore?

Answer. I think she is in the service.

Question. The Stephen S. Lee?

Answer. She is out.

Question. The Julia Smith?

Answer. She is in the service.

Question. The Francis, the Joseph Home?

Answer. They are out.

Question. Upon all the vessels I have named, whether they are now in or out of the service, so long as they remained in the service, you received five per cent.?

Answer. I received five per cent., except that with some few I divide with the brokers, and took two and a half per cent. In my own I take five per cent.

Question. In any case did you get more than five per cent.?

Answer. I think not.

Question. Are you confident?

Answer. I am very confident. I have no recollection of getting any more. In a good many cases I did not get but two and a half per cent. I divided the commission.

Question. Upon the barges what did you get?

Answer. Five per cent.

Question. How many barges from you are employed?

Answer. All the barges that were employed there first were out of employment, but maybe one or two months ago the order came for a hundred barges, and I think we got eighty-one or eighty-two.

Question. The schooner Isle of Pines?

Answer. She was in service early last spring, and did not remain long.

Question. The Saratoga, the Lydia Ann, the Caspian?

Answer. They are out.

Question. The Suwassett?

Answer. I think she is in

Question. The Benjamin Butler?

Answer. I think she is out.

Question. The William P. Phillips?

Answer. She was burned.

Question. Red Eagle?

Answer. She was lost.

Question. The E. W. Benton, the Adda Ames, the Ellen?
Answer. They are out.
Question. The William L. Dayton?
Answer. She is in.
Question. Maria Jane?
Answer. I think she is in.
Question. The Willard P. Phillips?
Answer. I have no recollection of her now, whether she is in or not.
Question. The A. J. Bird?
Answer. I think she is out.
Question. The Alexander Law?
Answer. She is out.
Question. The Eclipse?
Answer. The Eclipse is in.
Question. The Montezuma?
Answer. I don't know about her.
Question. The Samuel Eddy?
Answer. She is out.
Question. The Moonlight?
Answer. She is in.
Question. The John Wilson?
Answer. I don't remember her.
Question. The Fair Wind, the R. Whitman, the H. H. Rutan, the Henry Finch, the Sea Nymph, the Moderator, the Asa Eldridge, the M. C. Durfee, the Susquehanna, the William Spear?
Answer. They are in.
Question. The West Wind?
Answer. She is in, I think.
Question. The Daniel Brown, the White Cloud, the Mary Ann, the Louisa Reeves, the Batavia?
Answer. They are discharged?
Question. The Herschel, the Frémont?
Answer. They are out.
Question. The Free Wind, the Priscilla, the S. H. Poole, the John Farnum?
Answer. They are discharged.
Question. On all these vessels you received five per cent. so long as they were in service?
Answer. Yes, sir. From every vessel I chartered, and every barge I chartered, I have an agreement on my books in writing that they are to pay me five per cent., and in some cases divide that with the brokers.
Question. You have an agreement written out in each case?
Answer. Yes, sir; signed by the owners of the vessel.
Question. In which they agree to pay you five per cent.?
Answer. Yes, sir; on all but the steamers. On those I did not take any agreement.
Question. I understand from Colonel Belger's testimony and your statement that you acted as a sort of agent and representative of the War Department?

Answer. Not at all, sir; not a particle. I told everybody I was not acting as the agent of the government.

Question. Did you not have a kind of direction of the ships in the harbor?

Answer. Colonel Belger would send to me to know what vessels were in, and what were there when he wanted any; and in all cases I said to everybody I had no compensation from government. I received not a dollar from government, and only acted as the agent of the owners. If I did the business, I should charge them five per cent., and if I advanced them money I should have to charge them two and a half per cent.

(At this point the further examination of this witness was postponed until two o'clock p. m., when it was resumed as follows:)

Question. How many vessels did you charter from Mr. Heslen at different times?

Answer. I could not say how many. I should think, likely, at all times 25 or 30.

Question. How many did you charter from Mr. Heslen for the Burnside expedition?

Answer. I can't say the number. I should think, likely, four or five.

Question. When did you charter those for the Burnside expedition?

Answer. In January or February. That was before the McClellan expedition.

Question. Upon them you did not pay Captain Loper any percentage?

Answer. No, sir; nothing.

Question. How much did you get for those vessels you chartered of Heslen for the Burnside expedition?

Answer. Two and a half per cent.

Question. Did you not get more?

Answer. No, sir.

Question. Did you not receive seven and a half per cent.

Answer. I paid five per cent. to Mr. Brant. I stated that before. I got only two and a half per cent.

Question. You divided seven and a half per cent. between you and Brant?

Answer. No, sir. I got two and a half per cent. and Brant got five.

Question. Who is Brant?

Answer. He is a commission merchant who lives in Baltimore. He is the agent for the Powhatan Line Steamboat Company. His name is J. Brant, jr.

Question. Did you divide the percentage on the vessels you afterwards chartered of Heslen with Brant?

Answer. Nothing, except those on that expedition; no other vessels with Brant.

Question. Did you divide with Brant the percentage on any other vessels except those you chartered of Heslen?

Answer. I divided on all the vessels in the Burnside expedition—that is, the water vessels of the expedition.

Question. Did you divide with Brant up to the time you made the arrangement with Loper?

Answer. No, sir; this was after Captain Loper's arrangement. The last of General Burnside's expedition left Annapolis on the 29th of December; Mr. Brant got the contract for water to supply that army previous to that. He was sending away vessels at that time. He sent vessels down to Annapolis and Fortress Monroe to follow the expedition. He chartered his own vessels up to that time. I met him at Annapolis and he told me he had a good deal of trouble in getting vessels. I told him I would get vessels for him. He then told me I could have two and a half per cent. on them.

Question. Was Brant's contract to furnish water at Baltimore and Newbern?

Answer. To put it on board vessels at Baltimore, I expect.

Question. Had he the control of the chartering of the vessels on board which he was to put the water?

Answer. I suppose so. All the charters were made out in the name of J. Brant, jr.

Question. You did not divide your percentage with Brant on those chartered after the Burnside expedition?

Answer. I never divided with him, except on them. I divided for those water vessels; there was not a great many.

Question. How much did you charge Mr. Heslen for what you chartered after the Burnside expedition?

Answer. I did not charge him anything; we divided in some cases. I don't know what he got.

Question. How much did you get?

Answer. After they got up the McClellan expedition I got five per cent.

Question. Did you not get five per cent. on all the vessels you chartered of Heslen, except on those that you divided with Brant?

Answer. No, sir; on some after that, I did not get more than two and a half per cent. and he got two and a half per cent.

Question. Those were vessels in which he acted as broker?

Answer. Those were vessels he offered as a broker, the same as anybody else.

Question. Do you not know that he charged the owners 7½ per cent.?

Answer. No, sir; I don't know anything about it.

Question. Do you not know that you got five per cent. on all that came through Heslen, except those in the Burnside expedition?

Answer. No, sir; not on all, but most of them.

Question. Name one on which you did not receive five per cent.

Answer. I can't name any.

Question. Name the owner of one.

Answer. I cannot. I don't know half of the owners. The captains represent the owners.

Question. Name the master of one.

Answer. I can't name the masters.

Question. Do you not know that you received five per cent. on all the vessels you chartered of Heslen, except those for the Burnside expedition?

Answer. No, sir; I don't know that I did.

Question. Do you not believe that you did?

Answer. I believe I did on almost all.

Question. What do you mean by almost all?

Answer. I mean the greater part.

Question. On how many do you suppose you did receive it?

Answer. I can't say.

Question. Could you say that you did not receive it on one?

Answer. I can say I did not receive five per cent. on all.

Question. On all aside from the Burnside expedition?

Answer. Yes, sir; on all except them.

Question. Was it one, or forty?

Answer. I can't say; it might have been five or six; I can't say. I told the captains and owners that my charge was five per cent. in all cases; that I did not act for the government, and was not an agent for the government in any shape or manner.

Question. How many did you charter of Mr. Gray?

Answer. I think I chartered more of Mr. Gray than Mr. Heslen.

Question. How much did you get from Mr. Gray?

Answer. In most cases five per cent.

Question. Did you in all?

Answer. I don't think I did in all; I think I didn't in some cases.

Question. How much did you receive in those cases?

Answer. Two and a half, if I did not get five.

Question. Will you swear that you did not get five in all cases?

Answer. Yes, sir.

Question. Can you name any vessel on which you did not get five?

Answer. No, sir.

Question. Can you name the owner or captain of any?

Answer. I don't remember. I think there was one vessel, named the Wolf, on which I did not get but 2½ per cent.; that I chartered of Gray.

Question. Can you name another?

Answer. I can't now.

Question. How many do you think you chartered of Mr. Gray?

Answer. I can't say; I have no record of it any more than anybody in the world. If anybody offered a vessel, it was the same; I took them of merchants and brokers all over the country.

Question. Some vessels that I have named, that you stated are still in the employment of the government, were chartered by you for the McClellan expedition, and are still retained?

Answer. Yes, sir.

Question. Is Mr. Loper dividing with you the five per cent. on these charters?

Answer. I don't know whether I shall pay him any more or not.

Question. Do you not consider yourself bound to pay him?

Answer. No, sir; not any more.

Question. Was not the agreement between you to divide the five per cent. on the charter-parties while the vessels remained in the government employment?

Answer. No, sir.

Question. Did you not swear so here?

Answer. I said there was an understanding to that effect?

Question. Is that binding on you?

Answer. We did not expect that would last over thirty or forty days, so I was told by Mr. Tucker and Captain Hodges. When these vessels have been sent out, they have been reloaded and sent back, and I don't consider that I am legally bound to pay him any more unless I am a-mind to.

Question. Do you expect to be a-mind to?

Answer. I don't know.

Question. Do you not intend to?

Answer. No, sir, I don't intend to pay him any more.

Question. You will resist any effort on his part to collect any more?

Answer. I don't know about that; he has been a good friend to me and I should not want any trouble with him.

Question. How many of these vessels are in the service now?

Answer. There are only a few that were originally chartered that are in the service now.

Question. How many are in the employment of the government upon which Captain Loper will be entitled, by your original agreement, to divide the five per cent. with you?

Answer. I don't know as I could say, without I looked over the books. I can't recollect. It is difficult to tell from memory. They have been mixed up; they have been discharged and chartered again. All the vessels that are under charter now, of which the charter-parties were signed by Captain Hodges, were chartered under the McClellan expedition, but I think there are but very few under the original charter. I think most of them have been discharged.

Question. Then on all the vessels the charter-parties of which now have Captain Hodges's signature to them Captain Loper is entitled to divide the per cent. with you?

Answer. I don't know that he is entitled to divide.

Question. He does according to your agreement?

Answer. You may call it an agreement; it was an understanding; it was an understanding that I should give him a certain amount of money—two and a half per cent.

Question. Unless you repudiate that understanding he is entitled to it?

Answer. I don't know about that; I don't think I am legally or morally bound to pay it; on the whole, he left it to me to pay him what I saw fit. He never asked me for a statement nor saw one. He never asked me for an account. I paid him, just as I told you the other day, at three different times, that amount of money.

Question. Is there any written agreement between you?

Answer. No, sir.

Question. Where was the agreement made?

Answer. At Annapolis.

Question. Where at Annapolis?

Answer. At the hotel.

Question. Whose hotel?

Answer. I don't know the name.

Question. What time of day was it?

Answer. I don't know.

Question. How soon was it after you reached Annapolis that day?

Answer. I can't say.

Question. Who went to Annapolis with you?

Answer. I don't know; nobody in particular.

Question. Do you know anybody who was at Annapolis that day besides you and Loper?

Answer. Yes, sir, a good many.

Question. Name one at the hotel with you.

Answer. A good many from Baltimore were there. Mr. Brant was there.

Question. Who else.

Answer. I think Mr. Heslen was there.

Question. Who else?

Answer. I can't say.

Question. Was Mr. Coblens there?

Answer. No, sir.

Question. Mr. Tucker?

Answer. No, sir. I didn't know Coblens from a pile of bricks at that time; I never had seen him to know him.

Question. How came you to recommend Mr. Coblens to take Mr. Pickrell in as a partner?

Answer. I didn't in any shape or manner.

Question. Did you recommend Coblens to Pickrell?

Answer. Never.

Question. Are you confident?

Answer. I know I never did. I never had any connexion with Coblens in any shape or manner.

Question. Or Mr. Pickrell?

Answer. Yes, sir, I have had transactions with Mr. Pickrell before the war.

Question. Did you give no recommendation of Coblens to him?

Answer. No, sir.

Question. Nor Pickrell to Coblens?

Answer. No, sir.

Question. Do you know who did?

Answer. No, sir.

Question. Do you know who recommended Coblens to Pickrell?

Answer. No, sir. I always supposed Mr. Pickrell to be a hot secessionist, and have told him so to his face a good many times.

Question. Do you know that he is not one?

Answer All I know about it is he has taken the oath, and pretends to reform.

Question. Have you any stronger evidence that he is loyal than that Mr. Rhoads is?

Answer. Yes, sir; I think I have since he took the oath. I think he has changed his views. I have heard Mr. Rhoads say he would shoot the President if he passed his door.

Question. Was anybody else present when you heard this?

Answer. I don't know. He is making these bitter remarks all the time.

Question. Where did he make that one?

Answer. In his store.

Question. Was his brother present?

Answer. He has no brother that I know of.
Question. Was his clerk present?
Answer. I don't know that he was.
Question. Was anybody?
Answer. I presume there was; I can't tell who.
Question. Who first introduced you to Mr. Tucker?
Answer. Captain Loper, I believe.
Question. Where?
Answer. At Willards' Hotel, Washington.
Question. When was that?
Answer. I can't say when it was. I think that was the first time I ever saw him. My impression is that the first time I ever saw him was at Willards', and Captain Loper was there. I am not positive.
Question. Do you remember where at Willards' it was?
Answer. No, sir.
Question. Did Mr. Loper, at that time, recommend to Mr. Tucker to employ you upon this business?
Answer. Not to my knowledge.
Question. Do you know of his ever recommending you?
Answer. No, sir.
Question. To anybody?
Answer. Not to anybody; I would not say that.
Question. If he did, state who.
Answer. I know, as I have stated, that three or four times men have come to my office, and said that Captain Loper had recommended them to come to me for chartering vessels and schooners, but I can't tell the names or remember the cases.
Question. Can you remember the time?
Answer. It was at different times; I can't tell the time. I say I chartered vessels he recommended—I don't know as I did at that time; but I do know the fact, and when I swear to it I mean to be understood as swearing to the fact, that men came to my office, from New York, and Boston, and Philadelphia, and said Captain Loper had recommended them to call on me.
Question. Were they men with vessels lying in Baltimore?
Answer. No, sir. Sometimes they were coming. I have had such letters.
Question. Captain Loper was at the same time hiring vessels?
Answer. Yes, sir; in Philadelphia.
Question. And in New York?
Answer. I don't know.
Question. Why did not Captain Loper hire these vessels in Philadelphia and New York, where he was getting the whole of the commission, instead of sending them to you, and getting one-half?
Answer. I can't tell Captain Loper's motives or feelings. I presume you have had friends who have recommended men to you to be served a good many times.
Question. But if I could have done the business myself, and made the whole commission, and if the vessels were in the port where I was—
Answer. But the vessels were not in port where Captain Loper was.

Question. You just stated that the vessels were in New York, Boston, and Philadelphia.

Answer. No, sir; I did not say in Philadelphia. I say I think I have had men from Philadelphia, New York, and Boston come to me, and say that Captain Loper recommended them to me, and they have said that they had vessels on the way. I have had them from Albany and Hudson—owners of sailing vessels and steamers.

Question. Did they say they were sent to you by Loper?

Answer. Yes, sir.

Question. You cannot remember the time?

Answer. No, sir.

Question. Nor the men?

Answer. It is a weekly, almost a daily, thing.

Question. You cannot remember the men's names?

Answer. No, sir.

Question. Nor the vessels'?

Answer. I can't tell the names of the vessels. It would be impossible for anybody to do it.

Question. You do not know the reason that Loper himself did not charter them, instead of sending them to you?

Answer. Captain Loper would not know whether the government wanted them or not.

Question. How do you know he would not?

Answer. How would he know whether they wanted any vessels in Baltimore or not? When the captains came to me they wanted to know if the government wanted any vessels. I asked Colonel Belger if they wanted any. If they did, I went up and saw the captains and got my commission. Then I would act as the agent for the owners.

Question. Have you ever furnished any forage to government?

Answer. No, sir.

Question. Any lumber?

Answer. No, sir.

Question. Have you had any agency in furnishing either?

Answer. I sold one lot of forage; no, I didn't sell it, but I received a commission of one per cent. on a lot of hay that was sold to the government, but I did not make the sale after all.

Question. Who did you sell it to?

Answer. I did not sell it to anybody.

Question. Who was it sold to?

Answer. It was sold, I believe, by a man named Moore, but I don't know. The parties had the hay in Baltimore.

Question. How much did the hay amount to?

Answer. I don't know.

Question. How much did your percentage amount to?

Answer. I think about $50 or $70 or $75.

Question. Was it the only transaction of the kind you had?

Answer. I think so.

Question. Have you ever received any brokerage on any other forage sold to the United States?

Answer. No, sir.

Question. Or any brokerage on horses?

Answer. No, sir; I never had anything to do with them.

Question. Did you ever receive any brokerage, or was any promised to you, on any property sold to the government of the United States, except the hay you have just mentioned?

Answer. I don't remember anything of the sort. I never had a contract with the government in my life.

Question. Did you ever receive any consideration for inducing any sale to the government?

Answer. Not that I am aware of, sir.

Question. Did you ever have any connexion with any lumber contracts with the government?

Answer. No, sir.

Question. Did you ever have anything to do with any oats or hay contracts?

Answer. No, sir.

Question. Did you ever receive any commissions on the sale of any?

Answer. No, sir.

Question. Did you ever receive any present for assisting in effecting one?

Answer. I never had anything to do with hay or oats or horses for government at all. In this transaction of Williams & Son, I think I got one per cent.

Question. On how many vessels are you now receiving five per cent.?

Answer. I can't say.

Question. On how many steamers?

Answer. I can't say.

Question. Will your books show it?

Answer. No, sir. I don't know how many are in service. I don't know when a vessel is discharged. I can't tell.

Question. Will your books show how many you have engaged—chartered?

Answer. Yes, sir.

Question. Will they show when they were discharged?

Answer. No, sir. You will find it all in the department; and you will find that the steamers are chartered 20 per cent. less at Baltimore than at any other place; the books will show it, for the same dimensions—the same classed boat. The Columbia was chartered at $350. The same classed boats get from $500 to $550.

Question. Who chartered her?

Answer. Captain Hodges.

Question. At whose instance?

Answer. At mine. He considered her the cheapest boat he had.

Question. Is that charter standing?

Answer. No, sir; she was discharged the 11th of September.

Question. Is she still in the employ of the government?

Answer. No, sir.

Question. Who chartered her the last time she was chartered?

Answer. Colonel Belger.

Question. Through you?

Answer. Through the captain.

Question. Did you get a percentage on her?
Answer. I am to have a percentage on her.
Question. How much?
Answer. Five per cent.
Question. And no more?
Answer. No more, sir.
Question. What was the rate of her last charter-party?
Answer. It was $350.
Question. What was her first charter-party?
Answer. It was $350.
Question. Did she get the same each time she has been chartered?
Answer. $350 is the sum.
Question. Has she never been chartered to government for any other sum than $350?
Answer. Not to my knowledge.
Question. You know all about her?
Answer. Since the Hodges charter. She was chartered for one trip to take horses to Fortress Monroe, and they kept her some 30 days, I think—that was a few days ago—at $350 a day.
Question. Did Colonel Belger have anything to do with determining the rates at which you chartered vessels?
Answer. In vessels that he took, he did.
Question. In those you chartered at Baltimore?
Answer. Always; in every case.
Question. With steamers and vessels of all kinds?
Answer. I never fixed the rate on any vessel. I took the rate that was established for the McClellan expedition, at four dollars a ton. Previous to that they had no special rate. Previous to that they took the vessels by the barrel—taking freight by the barrel. For the McClellan expedition they took them at four dollars a ton. That was the instruction from the War Department.
Question. Did you always inspect vessels yourself?
Answer. No.
Question. Who did it?
Answer. He had a man to inspect. The last charters made, he had a man to charter them. I didn't charter them. I acted as agent, and got commission, but I didn't charter one of them.
Question. He had an inspector, and the department fixed the rates of all?
Answer. Yes, sir; of barges, steamers, and sailing vessels.
Question. Do you know whether the vessels that Colonel Belger chartered were designated to him by the War Department, or anybody there?
Answer. Yes, sir. I know in one or two cases he had instructions from Colonel Rucker to charter such and such boats at such and such prices.
Question. What ones?
Answer. The Portsmouth, and the Lancaster, or the Juniata—I don't know which it was. It was one or two boats.
Question. Do you know whether he was directed by Mr. Tucker to charter any particular vessels?

Answer. No, sir; I think not. It might have been. I can't say who the direction came from in all cases. I know in one case he had orders from General Meigs to charter so many vessels for loading water, and to fit up for horses and mules. He got the order some time about five o'clock Sunday afternoon, and had the vessels all engaged and ready to go to work by six o'clock Monday morning.

Question. Who owns the Columbia?

Answer. Dr. William Gunton, or a stock company of which Dr. Gunton is president.

Question. Who chartered the Pocahontas?

Answer. General Burnside, I believe. I have no knowledge of the fact, though.

Question. Do you get a percentage on her?

Answer. No, sir.

Question. Is she still in the government employment?

Answer. She was lost, sir; she never reached her destination?

Question. Did you act as the agent of Captain Hodges?

Answer. No, sir; I never acted as the agent for the government in no way, shape, nor manner. I never received any compensation, and never acted as agent. They fixed the price on all the vessels. I merely acted as broker and agent for the owners of the vessels. I never fixed the price of a vessel in my life. I handed in the prices. They sometimes took them at the price—sometimes at a less price. I acted as the agent for the owner, and so stated in all my transactions to everybody who dealt with me.

Question. Did you ever discount any charter-parties for Mr. Heslen?

Answer. I would not say whether I did or not. I think I have had some charter-parties made in his name, and collected in New York.

Question. How much did he pay you?

Answer. I am not certain; I think I charged him two and a half per cent.

Question. Are you not certain?

Answer. I would not want to swear, but I think I did.

Question. What was the usual amount that you charged?

Answer. Two and a half per cent.

Question. Two and a half per cent. for advances, and two and a half per cent. more for collecting?

Answer. Not in all cases.

Question. Did you generally?

Answer. No, sir; not generally.

Question. Did you advance any for Mr. Gray?

Answer. You don't understand me. Mr. Gray was merely offering these vessels for the owners. The captains would come to me on these vessels that Mr. Gray offered.

Question. Did you advance any money on vessels that you chartered of Mr. Gray?

Answer. Yes, sir.

Question. At how much?

Answer. At two and a half per cent.

Question. You were making five per cent.?

Answer. No, sir.

Question. Two and a half per cent. advancing and two and a half per cent. for collecting?

Answer. No, sir; I think not. I might have charged two and a half per cent. when I got to New York for collecting.

Question. Did you ever advance any to Mr. Rhoads?

Answer. No, sir.

Question. Did you ever advance any to parties that you chartered from, through Mr. Rhoads?

Answer. Some captains of schooners I did.

Question. At how much?

Answer. Two and a half per cent.

Question. And two and a half for collecting?

Answer. I don't know that I did. I have collected a great many in New York.

Question. Did you ever advance any on the charter-parties you got through Mr. Rose?

Answer. Of Rose & Lyon—yes, sir; I think I have advanced them; but I do not think I charged anything.

Question. Have you for Mr. Applegarth?

Answer. No, sir; I think not.

Question. Did you ever advance any to any of the captains of any of his vessels?

Answer. No, sir; I think Mr. Applegarth advanced it himself on all those. I might possibly have advanced some. I have no recollection of it now.

Question. What vessel was it that was chartered at $360, and you received $60 of it?

Answer. Not any to my knowledge. I don't remember any such vessel.

Question. You would not swear that you did not do it?

Answer. I have no recollection of ever chartering a vessel for $360, and keeping $60, unless in the case—

Question. An eastern vessel?

Answer. I don't know—unless in the case of the Columbia. Dr. Gunton said he would let me have the boat for $300. I offered the Columbia to Captain Hodges and Mr. Tucker at $350, and gave them the dimensions of the boat, the number of troops she would carry, &c., and they took her, and said she was the cheapest boat they had got on the list; but I have no recollection of ever taking $60 for a vessel of $300, but it might possibly be in a case like the Columbia, though I have no recollection of it.

Question. Were there not several cases of that kind, where you chartered the vessel for a sum greater than went to the parties who made the charter?

Answer. No, sir; I do not know of a case. I do not recollect a single case except the Columbia. There might be a schooner, but I don't remember it. The vessels have always been put down to my knowledge at the sum the parties have got—four dollars a ton—and all I have ever received is the commission. I have no recollection of taking $60 a day on any schooner or vessel, besides the commission. *I don't* believe there was a vessel of that kind.

Question. Do you know anything of the vessel H. E. Brown?

Answer. I did not charter her. I know she was chartered. I guess the name is Horace E. Brown. She is owned by Adams & Magee, in Baltimore.

Question. What do you know of her?

Answer. I know she went on the Burnside expedition, but I had nothing to do with her. My impression is that Mr. Brant chartered her. I would not say certainly who did charter her. I chartered very few vessels for that expedition. I had not got into the business then. There were vessels taken up from Wilmington and all over the country for that expedition that I had nothing to do with. I believe I stated the other day that I owned the whole of the Fairy Queen and Edwin Forrest at the time I chartered them; but I did not own the whole. One party owned one-quarter and one party one-third, but I bought them out afterwards—after they had been in the employment of the government a spell.

Question. Who made the first charter for the Columbia?

Answer. The first charter I know anything of was that for the McClellan expedition. That was made for one month and longer, if necessary.

Question. At $350?

Answer. Yes, sir, $350; that was the price on the list.

Question. Do you know of her being chartered before?

Answer. She was in the service of the government; I had nothing to do with it.

Question. Who chartered her before?

Answer. I think it was the agent of the line.

Question. To what agent of the government?

Answer. I think Colonel Rucker; but I am not certain now.

Question. Do you know how much she was chartered for then?

Answer. I do not know. I had nothing to do with her. All I know is by hearsay.

Question. Did she coal herself when you chartered her?

Answer. The government furnished coal for all the steamers, sir.

Question. When did you see Mr. Tucker last?

Answer. I have not seen Mr. Tucker, to speak to him, for two months, I think. I saw him to-day, but not to speak to him.

Question. You had no conversation with him?

Answer. Not a word. I think I have not spoken to him for two months—perhaps not so long as that.

Question. You say you never received any consideration for your services from the government?

Answer. No, sir.

Question. Colonel Belger never paid you anything nor directed anything to be paid to you?

Answer. No, sir. He told me when he sent for me he would pay me; but I never asked him for pay, and never received a cent.

Question. I understand you to say that in all cases you consulted with Colonel Belger, or the agent of the quartermaster's department, in regard to the capacity of the vessel and the price to be paid?

Answer. Whenever he wanted a vessel, his instructions were that

he would not pay for any schooner any more than the price fixed by the War Department—four dollars a ton. In steamers, in all cases, the owners or agents went with me and gave the dimensions, and the lowest price they would take, and then he would take them or not. I never offered a vessel myself in my life, or asked for any vessels, except when in answer to that advertisement of Mr. Stanton; and I have made my commission fairly and honorably.

Question. Did you always, before you effected a charter, consult with Major Belger as to the capacity of the vessel, and the price you paid for her?

Answer. In steamers, in all cases.

Question. In sailing vessels?

Answer. In sailing vessels—say he wanted a vessel to have such and such a cargo, and the price must be four dollars a ton, custom-house register. He wanted a vessel to carry such and such a cargo. I told him I could get the vessel, and I would furnish it. In transporting up and down the Chesepeake, in many places the water is very shallow, and will only allow four or five feet, and it is very difficult to get vessels that can go into such places—particularly Aquia creek. Some places there would not draw over five feet.

Question. Then, I understand you to say you did not consult him in most cases?

Answer. In all cases in that way. I could not take a vessel without his approval, or that of some other officer of the government.

Question. Then, you did have his approval?

Answer. Yes, sir.

Question. In every case?

Answer. Certainly.

Question. He knowing the capacity, the size, and the price to be paid?

Answer. Yes, sir—four dollars a ton.

Question. And the character of the vessels to be employed?

Answer. I would not say that he went into all the particulars of the vessel. He would state what he wanted, and the vessel would be furnished; but a great many vessels have been chartered that he knew nothing about. I have taken two or three since I was here the last time that he knew nothing in the world about, except to sign the charter-party.

Question. Did you ever present any letter from Mr. Tucker to Colonel Belger, other than that telegraphic dispatch which you have recited in your testimony to day?

Answer. Yes, sir; I think I presented another letter, which I have here, to Colonel Belger.

Question. Did you present a letter to Colonel Belger, directing him to sign the charter-parties you had effected?

Answer. Yes, sir. I have it here—a telegram.

Question. But any other than the telegram?

Answer. I would not say. I have half a dozen letters from Mr. Tucker.

Question. Did you ever present a letter to Colonel Belger from Mr. Tucker, other than the telegraphic despatch to you, which you have

already recited in your testimony to-day, directing Colonel Belger, or any other agent of the department, to sign charter-parties that had been effected by you?

Answer. I should not want to swear to that. My recollection is that I have presented to him letters and telegraphic despatches, both from Mr. Tucker and from Colonel McCallum. I have a standing order from Colonel McCallum to furnish transportation or any vessels that he wants.

A. C. HALL.

WASHINGTON, *Tuesday, January* 20, 1863.

AMASA C. HALL, recalled, testified further as follows:

Examined by the chairman.

Question. Please furnish to the committee the tables or lists of the vessels chartered by you for the use of the government, which were desired the last time you appeared before the committee.

Answer. I furnish the following documents as my answer:

That marked "A," which I now hand to the committee, embraces the vessels chartered through me at the port of Baltimore for general purposes.

That marked "B" contains a list of all the vessels chartered through me for the McClellan expedition.

The list marked "C" contains the steamers for the McClellan expedition.

List "D" contains the vessels chartered at the instance of Colonel McCallum, for transporting railroad materials, &c.

They are as follows:

[Lists furnished to the committee by A. C. Hall.]

A.

List of vessels chartered to transport forage, &c.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per month.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.								
April 8	Schr. Gov. Burton	.....	268	$4 00	$1,072 00	$3,340 00	$167 00	Disch'd.
14	Schr. Juniatta Patton	E. Parker	261	4 00	1,044 00	1,809 00	90 45	Disch'd.
14	Schr. A. T. Rowland*	T. W. Rowland	216	4 00	864 00	3,081 60	154 08	.....
15	Schr. Chrysolite	.....	170	4 00	680 00	753 40	37 67	.....
16	Schr. North Carolina	R. W. Bunting	108	4 00	432 00	907 20	45 36	Disch'd.
16	Schr. E. H. Market	W. Applegarth & Son	90	4 00	360 00	888 00	44 40	Disch'd.
16	Schr. Wm. Allen	Thos. C. Cranmer	363	4 00	1,452 00	8,448 00	422 40	Disch'd.
16	Schr. L. W. Birdsale	W. Rhoades & Son	167	4 00	668 00	1,060 00	53 00	Disch'd.
17	Schr. Amytis	Kelsey & Gray	106	4 00	424 00	1,045 80	52 29	.....
17	Schr. Maria & Elizabeth	W. Rhoades & Son	245	4 00	980 00	.....	.....	.....
18	Schr. Samuel Colt	G. W. Hilliard	166	4 00	664 00	2,044 00	102 20	.....
18	Schr. Buena Vista	.....	231	4 00	924 00	3,572 00	178 60	.....
22	Schr. F. W. Johnston	.....	94	4 00	376 00	852 20	42 61	.....
22	Schr. Kendrick Fish	John Wall	170	4 00	680 00	3,060 00	153 00	.....
22	Schr. N. L. Wassen	Harrison Mitchell	103	4 00	412 00	2,794 80	139 74	.....
22	Schr. Olivia Buxton	Samuel J. Williams	90	4 00	360 00	1,548 00	77 40	Sept. 24
22	Schr. Julien Franklin	S. F. Jewett	92	4 00	368 00	1,733 20	86 66	.....
22	Schr. Clara Belle	W. Applegarth & Son	124	4 00	496 00	.....	.....	.....
23	Schr. A. H. Manchester	Asa W. Nickerson	273	4 00	1,092 00	4,860 00	243 00	.....
23	Schr. Plandouer	Robt. T. Brown	266	4 00	1,064 00	3,990 60	199 53	.....
24	Schr. R. C. Stannard	W. Applegarth & Son	124	4 00	496 00	.....	.....	.....
24	Schr. David C. Foster	Joseph H. Townsend	127	4 00	508 00	2,404 40	120 22	Sept. 15.
25	Schr. Mary P. Hudson*	S. S. Hudson	295	4 00	1,180 00	7,124 20	356 21	.....
28	Schr. Carrie	W. Applegarth & Son	115	4 00	440 00	.....	.....	Disch'd.
28	Schr. J. H. Traverse	Jno. H. Adams	100	4 00	400 00	693 00	34 65	.....
28	Schr. J. Gaslin	Kelsey & Gray	85	4 00	340 00	.....	.....	.....
28	Brig Alladden	C. M. Jackson & Co	260	4 00	1,040 00	5,333 20	266 66	Sept. 30.
30	Schr. T. R. Hammond	..... do	106	4 00	424 00	2,216 00	110 80	.....
May 1	Schr. Fisher	..... do	112	4 00	448 00	1,416 00	70 80	.....
1	Schr. Mountain Eagle	Robert Hawes	195	4 00	780 00	1,540 00	77 00	.....
2	Schr. Baltimore	M. A. Mitchell	120	4 00	480 00	937 80	46 89	.....
7	Schr. Mary A. Magee	John Magee	226	4 20	950 00	2,660 00	133 00	Sept. 22.
9	Brig W. Nicholas	William G. Foster	180	4 00	720 00	720 00	36 00	.....
9	Schr. Emma Farbush	George E. Kendall	184	4 00	736 00	932 20	46 61	.....
June 13	Schr. Justina	Kelsey & Gray	114	4 00	456 00	1,763 20	88 16	.....
Aug. 11	Schr. Lawrence	Tregoe & Toll	125	3 80	475 00	.....	.....	.....
11	Schr. Almira T	W. Rhoades & Son	159	4 09	650 00	736 00	36 80	Disch'd.
11	Schr. Clara Belle	W. Applegarth & Son	125	4 00	500 00	616 60	30 83	Disch'd.
11	Schr. O. H. Tolla	..... do	95	4 00	380 00	481 20	24 06	Disch'd.
11	Schr. Carrie	..... do	110	4 00	440 00	.....	.....	.....
11	Schr. Federal Hill	..... do	110	4 00	440 00	557 20	27 86	Disch'd.
11	Schr. Ontario	.....	75	4 53½	340 00	408 00	20 40	Disch'd.
11	Schr. Mountaineer	W. Applegarth & Son	74	4 00	296 00	.....	.....	.....
11	Schr. B. H. Fox	..... do	148	4 00	592 00	730 00	36 50	Disch'd.
11	Schr. Butterfly*	..... do	100	4 00	400 00	.....	.....	.....
11	Schr. J. M. & A. J. Foxwell	..... do	78	4 00	312 00	384 80	19 24	Disch'd.
11	Schr. William & John	..... do	95	4 00	380 00	481 20	24 06	Disch'd.
12	Schr. J. R. Griffith	..... do	90	4 00	360 00	432 00	21 60	Disch'd.
12	Schr. Jno. P. Spedden	..... do	92	4 00	368 00	.....	.....	.....
12	Sloop Delaware	..... do	75	4 00	300 00	370 00	18 50	Disch'd.
12	Schr. Ambition	..... do	100	4 00	400 00	.....	.....	.....
12	Schr. Louisiana	..... do	133	4 00	532 00	.....	.....	.....
21	Schr. Wm. Frazier	..... do	106	4 00	424 00	.....	.....	.....
28	Schr. Wonder	G. D. Halleck	190	4 00	760 00	.....	.....	.....
Sept. 3	Bark William*	Kelsey & Gray	236	4 00	944 00	1,825 00	91 25	.....
9	Schr. Robert Healy	W. Applegarth & Son	133	4 00	532 00	.....	.....	.....
	Total	.....	....	.....	.....	.....	4,027 49	.....

* Still in the service of the government.

List of vessels chartered to transport forage, &c.—Continued.

Date of charter.	Name and description of vessel.	Owner or captain's name	Rate of pay per day.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.						
April 28	Barge Friendship	R. W. McClellan	$12 00	$1,884 00	$94 20	Oct. 1.
28	Barge California	David Forsyth	12 00	2,076 00	103 80	Oct. 17.
28	Barge Great Republic	.....	12 00	1,627 00	81 35	.....
28	Barge M. A. Daffy	Bernard Daffy	12 00	1,744 00	87 20	.....
28	Barge E. Reider	Jno. Frick	12 00	1,740 00	87 00	Disch'd.
28	Barge John Pickup	Jno. Elliott	12 00	1,740 00	87 00	.....
May 1	Barge Mary Ann Brown	Richard Brown	12 00	.....	.....	.....
1	Barge Lewis & Butler	Richard A. Rilatt	15 00	1,815 00	90 75	Disch'd.
1	Barge P. S. Marsh	Jacob Shurts	12 00	708 00	35 40	.....
1	Barge Charles E. Morris	James Clinton	12 00	2,192 00	108 60	Oct. 31.
2	Barge Lewis Wilson	Adam Bulmer	12 00	.....	.....	.....
2	Barge Orange*	William Barker	12 00	1,832 00	91 60	.....
2	Barge T. Spencer	W. Lockridge & Co	12 00	2,148 00	107 40	.....
2	Barge Mary Linda	Geo. A. Twibill	12 00	2,040 00	102 00	.....
2	Barge Charles E Steiner	.....do	12 00	2,132 00	106 60	Oct. 31.
2	Barge J. Campbell	.....	12 00	696 00	34 80	.....
2	Barge Judge Jones	James Murray	12 00	1,464 00	73 20	.....
2	Barge Gov. Johnson	.....	12 00	1,704 00	85 20	.....
2	Barge David Wilmot	Robert Patterson	12 00	1,800 00	90 00	Sept. 28.
2	Barge Little Oliver	Geo. A. Twibill	12 00	1,812 00	90 60	Oct. 1.
2	Barge John Adams	W. Lockridge & Co	12 00	1,692 00	84 60	.....
2	Barge Roderick Dhu	P. W. Blackburn	12 00	1,464 00	73 20	.....
2	Barge George Spencer	R. F. Cahill	12 00	2,148 00	107 40	.....
2	Barge Empire City	Edward Bourke	12 00	1,728 00	86 40	Sept. 22.
2	Barge Edward	Jno. S. Hammond	12 00	360 00	18 00	.....
2	Barge Michael Fritz	..... do	12 00	360 00	18 00	.....
2	Barge Richard Heckscher	.....do	12 00	360 00	18 00	.....
3	Barge Rebecca	Samuel Root	12 00	1,968 00	98 40	Oct. 17.
3	Barge Mattie J. Hanselman	Thos. London	9 00	1,611 00	80 55	Sept. 30.
3	Barge D. J. Townsend	Wm. Prime	12 00	1,824 00	91 20	.....
5	Barge Geo. W. Beavers	Jacob Shurtz	12 00	1,824 60	91 20	.....
5	Barge Jno. F. Morton	..... do	12 00	1,764 00	88 20	.....
5	Barge Swan	Stephen H. Myers	12 00	1,383 20	69 16	.....
5	Barge Wm. T. Anderson	Jacob Shurtz	12 00	2,052 00	102 60	.....
5	Barge Thos. P. Stoan	Henry Long	9 00	1,593 00	79 65	.....
8	Barge Dutch Traveller	Leander Wood	9 00	1,242 00	62 10	.....
8	Barge Mazy Welch	Geo. W. Breneman	9 00	1,314 00	65 70	Oct. 1.
8	Barge Adolphus Fisher	G. H. Fittenberger	12 00	1,380 00	69 00	Disch'd.
9	Barge Forest Flower	Thos. McCulloch	9 00	1,233 00	61 65	.....
15	Barge Baltic	A. C. Hall	12 00	1,665 00	83 25	Sept. 30.
August 25	Barge Zouave	Jas. S. Patton	9 00	261 00	13 05	Sept. 22.
25	Barge Feronia	Isaiah Hipple	9 00	261 00	13 05	Sept. 22.
25	Barge Seven Sisters	Charles Rienhart	9 00	234 00	11 70	Sept. 19.
25	Barge Carrie	Jno. Hochlander	9 00	261 00	13 05	Sept. 22.
25	Barge Lizzie Arnold	J. L. Arnold	10 00	290 00	14 50	Sept. 22.
25	Barge Dr. W. W. Robins	S. H. Hochlander	10 00	370 00	18 50	Sept. 30.
26	Barge Grey Eagle	Solomon R. Shipe	9 00	225 00	11 25	Sept. 29.
26	Barge Martha and Sarah	Jno. B. Miller	9 00	234 00	11 70	Sept. 20.
26	Barge Village Belle	Isaac Milliken	9 00	225 00	11 25	Sept. 19.
27	Barge Thos. Franklin	Jacob Piper	9 00	216 00	10 80	Sept. 19.
May 12	Barge Alexander the Great	Dennis O'Brien	12 00	360 00	18 00	.....
	Total	.....	.....	.....	3,151 81	

* Still in the service of the government.

B.

List of vessels chartered for the McClellan expedition.

Date of charter.	Description and name of vessel.	Owner or captain's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per month.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.								
Feb. 28	Schr. Isle of Pines	Thos. E. Friend	199	$4 00	$796 00	$5,268 00	$263 40	.....
26	Schr. Saratoga	John W. Adams	144	4 00	575 00	3,910 00	195 50	.....
25	Schr. Willard P. Phillips.	Samuel R. Smith	198	4 00	792 00	2,496 20	124 81	.....
26	Schr. Benj. Butler	John P. Curley	184	4 00	736 00	5,127 60	256 38	.....
26	Schr. Swassett*	Isaac Soper	193	4 00	772 00	2,161 60	108 08	.....
25	Schr. Red Eagle	W. B. Brown	250	4 00	1,000 00	2,860 00	143 00	.....
26	Schr. Caspian	Raymond Porter	162½	4 00	650 00	5,091 60	254 58	.....
25	Schr. E. H. Benton	E. Taylor	183	4 00	732 00	2,820 00	141 00	.....
27	Schr. Ada Ames	A. C. Ames	246	4 00	984 00	2,755 00	137 75	.....
27	Schr. Ellen	Harvy D. Leland	165	4 00	660 00	4,076 00	203 80	.....
26	Schr. Lydia Ann	John M. Weaver	162	4 00	648 00	1,836 00	91 80	.....
28	Schr. W. L. Dayton*	Somers Hand	135	4 00	540 00	1,530 00	76 50	.....
Mar. 1	Schr. Maria Jane	Isaac A. Lay	219	4 00	876 00	6,920 00	346 00	.....
1	Schr. A. J. Bird	James H. French	179	4 00	716 00	5,536 00	276 80	.....
5	Schr. Moonlight*	George M. Stutes	260	4 00	1,040 00	10,688 40	534 42	.....
10	Schr. Moderator	A. S. Letts	217	4 00	868 00	4,340 00	217 00	.....
3	Schr. Wm. Phillips.	William H. Mount	208	4 00	832 00	832 00	41 60	.....
4	Schr. Alexander Law	Henry T. Wood	210	4 00	840 00	2,212 00	110 60	.....
5	Schr. Montezuma	H. C. Wyman	136	4 00	544 00	2,829 80	141 49	.....
5	Schr. Thomas Page	George W. Frame	160	4 00	640 00	1,728 00	86 40	.....
7	Schr. W. H. Rutan	James W. Sprague	171	4 00	684 00	2,764 00	138 20	.....
6	Schr. Samuel Eddy	Wesley Patton	276	4 00	1,104 00	7,139 20	356 96	.....
10	Schr. Asa Eldridge	Owen Prescott	128	4 00	512 00	2,500 00	125 00	.....
8	Schr. Henry Finch.	Henry Davy	280	4 00	1,120 00	2,986 60	149 33	.....
5	Schr. Eclipse*	John J. Cook	269	3 57	960 00	9,148 00	457 40	.....
7	Schr. A. R. Whitmore	Mills Edwards	229	4 00	916 00	916 00	45 80	.....
7	Schr. Fair Wind	Bevan, Phillips & Co.	113	4 00	452 00	904 00	45 20	.....
8	Schr. Sea Nymph	Lemuel H. Conley	192	4 00	768 00	4,812 80	240 64	.....
8	Schr. John Farnham	Gideon Hall	229	4 00	916 00	916 00	45 80	.....
11	Schr. West Wind*	Charles Burnett	247	4 00	988 00	6,904 00	345 20	.....
10	Schr. M. C. Durfee	W. Bean	260	4 00	1,040 00	1,040 00	52 00	.....
15	Schr. Daniel Brown	Henry Heald	294	3 62	1,065 00	2,343 00	117 15	.....
15	Schr. White Cloud	Amos C. Leavitt	153	3 92	600 00	1,340 00	67 00	.....
15	Schr. S. E. Jones	Fountain Jones	198	3 78	750 00	1,825 00	91 25	.....
15	Schr. Mary Ann	Charles Haley	137	3 65	500 00	1,816 60	90 83	.....
15	Schr. Louisa Reeves	John A. Jones	163	3 68	600 00	1,460 00	73 00	.....
15	Schr. Batavia	C. J. Word	164	3 75	615 00	3,955 00	197 75	Sept. 25.
17	Schr. Herschel	J. H. Birdsale	297	3 70	1,100 00	6,413 00	320 65	Sept. 16.
18	Schr. Free Wind	E. R. Jones	168	4 00	672 00	672 00	33 60	.....
10	Schr. Susquehanna	W. Applegarth & Co.	77	4 00	308 00	1,170 00	58 50	.....
11	Schr. Wm. Spear	do	97	4 00	388 00	1,000 00	50 00	.....
11	Schr. Priscilla†	do	...	.....	.....	810 40	40 52	.....
7	Schr. John Wilson‡	.....	....	...	.....	.....	.....	.....
17	Schr. Frémont§	John Spaulding	....	.....	.....	.....	.....	.....
17	Schr. S. H. Pool§	.....	....	....	.....	583 20	29 16	.....
							$6,931 85	
					Pay per day.			
Feb. 26	Barge F. S. Boas	Charles Deem	....	.....	10 00	1,227 00	61 35	.....
26	Barge Olive Branch	Abraham Hallman	..	.....	10 00	2,390 00	119 50	.....
26	Barge Samuel Davis	Thomas Rourke	....	.....	10 00	750 00	37 50	.....
26	Barge Lady	John Raser	....	.....	10 00	.....	.....	.....
26	Barge M. Dallman	L. Britten	....	.....	10 00	.....	.....	.....
26	Barge Flying Dutchman	William Myers	....	.....	10 00	2,060 00	103 00	.....
26	Barge William	William Gillen	....	.....	10 00	2,090 00	104 50	.....
26	Barge Thomas Maloney	Michael Fitzpatrick	....	.....	10 00	.....	.....	.....
26	Barge Henry Bartley	Thomas McBride	...	....	10 00	220 00	11 00	.....
26	Barge Kate Sailor	Michael Kukeslager	....	.....	10 00	2,390 00	119 50	.....
Mar. 3	Barge Supply	William Curry	....	.....	10 00	900 00	45 00	Sept. 29.
3	Barge Owen Gorman	Owen Brady	....	.....	10 00	175 00	8 50	.....
3	Barge Mary Ann	do	....	.....	10 00	2,140 00	107 00	.....
3	Barge Union	John S. Hammond	...	.....	10 00	2,110 60	105 50	Sept. 29.
3	Barge W. T. Anderson	do	....	.....	10 00	2,340 00	117 00	Oct. 22.
3	Barge S. Craig	William F. Dare	....	.....	10 00	1,500 00	75 00	Sept. 22.
3	Barge Broad Mountain	James Carr	...	.....	10 00	660 00	33 00	.....
3	Barge Patrick Nautly	George Nahm	....	.....	10 00	1,280 00	64 00	.....
3	Barge Peter Clinton*	George A. Twibill	....	.....	10 00	1,200 00	60 00	.....

* Still in the service of the government.
One trip.

‡ One trip to Annapolis.
§ One trip to Fort Monroe.

B.—*List of vessels chartered for the McClellan expedition.*—Continued.

Date of charter.	Description and name of vessel.	Owner or captain's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per day.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.								
Mar 3	Barge Western Star	John Moore	..	.....	$10 00	$2,020 00	$101 00	Sept. 21.
3	Barge M. L. Dawson	Thomas Jackson	....	.....	10 00	1,840 00	92 00	.....
3	Barge Charles Miller*	P. Reilly	....	.....	10 00	2,000 00	100 00	.....
3	Barge M. Duffy*	P. Duffy	....	.....	10 00	2,140 00	107 00	Oct. 1.
3	Barge T. C. Zulick	Jacob K. Dundore	....	.....	10 00	180 00	9 00	.....
3	Barge Dr. Shannon	Patrick Turns	....	.....	10 00	1,180 00	59 00	.....
3	Barge Catharine Hayes	William Whalen	....	.....	10 00	1,725 20	86 26	.....
8	Barge Metropolis	Robert C. Baggs	....	.....	10 00	1,200 00	60 00	.....
8	Barge Princetown	Baltham Haring	....	.....	10 00	660 00	33 00	Oct. 20.
4	Barge Delaware	W. H. Bolton	...	.....	60 00	4,200 00	215 00	.....
12	Barge Helen Brown	W. H. Oler	....	.....	10 00	.....	.....	.....
	Total	.....	....	.....	.....	.....	2,028 61	.....

* Still in the service of the government.

C.

List of steamers chartered.

Date of charter.	Name of steamer.	Owner's name.	Rate of pay per day.	Amount paid on charter.	Amount received on commission at 5 per cent.
1862.					
Mar. 13	Patapsco	C. Coblens	$85 00	$10,295 00	$514 75
Feb. 24	Cecil	Captain Rice	80 00	2,400 00	120 00
26	Portsmouth*	Baltimore and Havre de Grace Steam Towing Company.	230 00	73,960 00	3,698 00
26	Juniata*		220 00		
26	Pacific		60 00		
26	Baltimore*	Frind, Rickets & Co	250 00	52,500 00	2,625 00
26	Kent	S. J. Pentz	200 00	18,000 00	900 00
26	Pioneer*	do	200 00	18,000 00	900 00
26	Ajax	John Henderson, jr	70 00	13,320 00	666 00
26	Haswell	C. Coblens	40 00	1,440 00	72 00
26	Fairy Queen	A. C. Hall	40 00	1,200 00	60 00
25	Columbia	Dr. William Gunton	350 00	69,000 00	3,450 00
26	Georgia*	M. N. Falls, president	350 00	21,000 00	1,050 00
26	Wilson Small	Captain Smith	210 00	16,500 00	825 00
Mar. —	Major Brewerton	Mayor and City Council	65 00	10,000 00	500 00
7	Pilot	Joseph Baker	50 00	1,500 00	75 00
18	Joseph Baker	John H. Barton	65 00	12,805 00	640 25
	Total	.....	.....	.....	16,096 00

* Still in the service of the government.

D.

List of vessels chartered to transport locomotives, cars, railroad iron, &c.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per month.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.								
Mar. 18	Schr. Ella	Charles H. Marston	212	$3 50	$795 00	$4,955 00	$247 75	Sept. 25
18	Schr. James Jones	C. H. Hazleton	247	3 84	950 00	6,794 40	338 22	D'chd.
21	Schr. Norman	B. Atwood, jr	220	4 00	880 00	3,784 00	189 20	.....
21	Schr. Minnehaha	John H. Young	140	4 00	560 00	1,637 40	81 87	.....
25	Schr. E. Nickerson	Cyrus Nickerson	229	4 00	916 00	2,733 20	136 66	.....
25	Brig E. Doaur	George H. Loring	187	4 00	748 00	2,118 00	105 90	.....
21	Schr. Mary Brewer	J. B. Wood	115	4 00	460 00	3,174 00	158 70	.....
27	Schr. S D. Hart*	Isaac Wall	165	4 00	660 00	3,984 00	199 20	Oct. 25
28	Schr. George and Emily	S. S. Harris	130	4 00	520 00	2,929 20	146 46	Sept. 15
25	Schr. George W. Glover	Winslow Thomas	116	4 03	468 00	1,082 60	54 13	June 2
25	Schr. Algomar	William Hayes	125	4 00	500 00	1,033 20	51 66	.....
29	Schr. Lucy Alexander	E. K. Alexander	145	4 00	580 00	3,835 40	191 77	.....
26	Schr. Davison	Charles Jackson	94	4 00	376 00	1,052 00	52 60	.....
24	Schr. Israel H. Day	Daniel Chase	253	3 62	916 00	5,589 60	279 48	.....
24	Schr. J. H. Burnett*	Daniel Ireland	192	4 00	768 00	4,772 00	238 60	Oct. 8
27	Schr. Benjamin L. Berry	George B Weaver	190	4 00	760 00	4,282 20	214 11	.....
26	Schr. William H. Mailler*	Seth C. Arey	191	4 00	764 00	1,349 00	67 45	.....
26	Schr. Vincent Barkalew	Clark Burdick	84	4 00	336 00	1,097 60	54 88	.....
27	Schr. Lucy Church	Alden H. Adams	204	4 00	816 00	4,871 40	243 57	.....
27	Schr. Richard A. Wood	J. B. Cranmer	298	3 70	1,100 00	6,196 60	309 83	Sept. 15
April 29	Schr. Young America	J. and H. H. Post	142	4 00	568 00	927 80	46 39	.....
25	Schr. S L. Simmons	Lewis Gandy	223	4 00	892 00	1,397 00	69 85	.....
29	Schr. Mary and Elizabeth*	Leonard W. Read	190	4 00	760 00	1,900 00	95 00	.....
26	Schr. Malabar	Mark Wiloh	127	4 00	508 00	1,354 60	67 73	.....
28	Schr. Bengal*	B. A. Pillsbury	103	4 00	412 00	1,277 00	63 85	Nov. 25
23	Schr. Ellen Merryman	Charles F. Hamilton	129	4 00	516 00	1,240 00	62 00	.....
May 2	Schr. E. D. McClenahan	Zebulon Mitchell	114	4 00	456 00	2,024 20	101 21	Sept. 15
2	Schr. John Forsyth	J. D. Applegarth	247	4 00	988 00	4,706 00	235 30	.....
1	Schr. Pennsylvania	H. N. West	143	4 00	572 00	2,601 00	130 05	Sept. 16
4	Schr. Emma Amelia	A. E. Harding	250	4 00	1,000 00	5,837 40	291 87	.....
5	Schr. Mohawk	Henry Giles	141	4 00	564 00	2,746 20	137 31	Oct. 31
5	Schr. E. W. Farrington	James Robinson	211	4 00	844 00	3,685 00	184 25	.....
6	Schr. Belle of Cape Ann	W. H. Green	100	4 00	400 00	919 80	45 99	.....
6	Schr. John Tilton	J. S. Lawrence	160	4 00	640 00	1,173 20	58 66	.....
6	Schr. Luther Childs	Charles Kelly	168	4 00	672 00	1,213 00	60 65	.....
8	Schr. A. S. Ells	P. K. Harwood	118	4 00	472 00	2,249 60	112 48	.....
12	Schr. George W. Grice	John Palmer	118	4 00	472 00	2,489 40	124 47	.....
12	Schr. Undine	F. T. Crowell	100	4 00	400 00	1,013 00	50 65	.....
20	Schr. Southerner	William C. Harris	230	4 00	920 00	3,831 80	191 59	.....
20	Schr. Typhoon	Zenas Truvorgy	265	4 00	1,060 00	2,120 00	106 00	.....
9	Schr. Mountain Avenue	F. G. Kelly	174	4 00	696 00	2,261 60	113 08	.....
23	Schr. Alex. Law	Henry T. Wood	211	4 00	844 00	3,854 20	192 71	Sept. 17
June 9	Schr. Hamor	—— Hamor	120	4 00	480 00	383 00	19 15	.....
10	Schr. George W. Glover	W. Thomas	116	4 00	464 00	1,948 60	97 43	.....
10	Schr. William Gregory	Horace Bucklin	149	4 00	596 00	2,682 00	134 10	D'chd.
10	Schr. Juniatta Patton	Elisha Parker	261	4 00	1,044 00	3,871 40	193 57	Oct. 1
10	Schr. William L. Dayton	Lomus Hand	135	4 00	540 00	2,469 00	123 45	Oct. 27
11	Schr. Harriet Baker.	.....	150	4 00	600 00	3,000 00	150 00	.....
13	Schr. James H. Moore	William Ingersoll	280	4 00	1,120 00	4,032 00	201 60	.....
25	Schr. Stephen S. Lee	.....	235	4 00	940 00	3,008 00	150 40	.....
26	Schr. Frances	Daniel Connell	223	4 00	892 00	3,181 40	159 07	.....
16	Schr. Julia Smith*	John Orlando	182	4 00	728 00	3,276 00	163 80	.....
Aug. 22	Schr. Joseph Holmes	B. F. Holmes	221	4 00	884 00	1,655 80	82 79	.....
	Total	.....	....	.....	.....	.....	7,376 49	.....

* Still in the service of the government.

List of vessels chartered to transport locomotives, cars, railroad iron, &c.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Rate of pay per day.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.						
March 27	Barge Iowa	Henry R. Royer	$12 00	$2,112 00	$105 60	.....
29	Barge Wynekoop	G. Q. Brokaw	12 00	1,008 00	50 40	.....
29	Barge Samuel Wooley	S. Flanagan	12 00	2,220 00	111 00	Sept 30
April 1	Barge Tom O'Neal	William Fox	12 00	2,192 00	109 60	Oct. 1
1	Barge Mary Connolly	Michael Connolly	12 00	2,436 00	121 80	.....
1	Barge Young Henry	John Farrell	12 00	1,500 00	75 00	.....
1	Barge Navada	John Mathews	12 00	1,572 00	78 60	.....
1	Barge Planet	Michael Carey	12 00	2,196 00	109 80	.....
1	Barge Little Sallie	J. Monogue	12 00	1,836 00	91 80	.....
1	Barge Vera Cruz	Andrew Byrns	12 00	1,020 00	51 00	.....
2	Barge Niagara	Charles Willoner	12 00	1,056 00	52 80	.....
2	Barge Jane Tonar	John Powell	12 00	2,196 00	109 80	Oct. 31
3	Barge J. M. Ripplier	Richard Connelly	12 00	2,184 00	109 20	.....
3	Barge Agnes Gibson	Lawrence Leary	12 00	2,424 00	121 20	Oct. 22
5	Barge Cape May	Charles Kautner	12 00	2,508 00	125 40	Oct. 31
7	Barge Nightingale	Charles Dugan	12 00	1,440 00	72 00	.....
7	Barge Uphamia	Dennis Buckley	12 00	2,136 00	106 80	.....
7	Barge Andrew Buckley	William Buckley	12 00	2,100 00	105 00	Sept. 30
7	Barge A. C. Page	W. S. Backman	12 00	2,020 00	101 00	Sept. 22
	Total				1,807 80	

RECAPITULATION.

Commission received on schooners on this expedition	$7,376 49
Commission received on barges on this expedition	1,807 80
Commission received on barges on McClellan's expedition	2,598 61
Commission received on schooners on McClellan's expedition	6,921 85
Commission received on barges to transport forage	3,151 81
Commission received on schooners to transport forage	4,027 49
Commission received on steamers	16,096 00
Total	41,410 05

Question. How many of the vessels embraced in list A are still in the employment of the government?

Answer. I cannot tell, because they don't report to Baltimore; but I have no knowledge of those being discharged that I have marked. So far as I can recollect, those have all been discharged except those that I have marked; there are five of them. Those are all I can remember.

Question. How many in the other lists?

Answer. In list B there are eight marked. In list C there are six steamers; they are still in the employment of the government. In list D there are five schooners still in the employ of the government.

Question. Do I understand you to say that upon all the vessels enumerated in these lists you receive five per cent.?

Answer. No, sir; I would not say that. I receive a commission on all—no, I have not on all, as some few barges were lost, and I got no commission on them at all.

Question. Did you receive a commission upon all except those that were lost?

Answer. Yes, sir; I think I have.

Question. How many were lost?

Answer. I think about twenty barges were lost, but I can't say for certain.

Question. Did you receive any consideration from any of those twenty?

Answer. I think I did receive the first month; I would not be certain. From some of them I did not receive the money I had advanced on them for supplies. On some of them I advanced money for the supplies, and I have not received that.

Question. On most of these you received more than five per cent?

Answer. No, sir.

Question. On all you received five per cent?

Answer. On all except what were lost I received five per cent., I believe. I believe I did not divide any commission with any brokers on those barges at all.

Question. Did you not receive, on any of the vessels enumerated in these tables, more than five per cent?

Answer. No, sir, I think not; I might have received something for advancing and collecting, but not for commission.

Question. Have you not received considerable money in addition to your commissions for advancing and collecting?

Answer. Not a large amount—not a very large amount.

Question. Not a very large amount in any particular case, but in the aggregate?

Answer. No, sir; the aggregate would not amount to a large sum, more particularly on the barges than anything else, because I furnished them with groceries.

Question. How much are you receiving on the Portsmouth, Juniata and Pacific?

Answer. Five per cent.

Question. Are you receiving no more than five per cent?

Answer. No more, sir.

Question. Have you been?

Answer. I have not received anything on this charter. On the first charter I received seven and a half per cent.

Question. No more than that?

Answer. No more.

Question. When did that charter expire?

Answer. Some time in June or July last, I think. They were taken up a short time ago by Colonel Rucker.

Question. How long did the first charter continue?

Answer. My impression is that the first charter on these three boats continued about three months.

Question. How much are you receiving on the Baltimore?

Answer. Five per cent.

Question. No more?

Answer. No more, sir.

Question. How much on the Pioneer?

Answer. I was to receive ten per cent. I have not collected anything of account.

Question. How much on the Georgia?

Answer. Twenty-five dollars a day for the Georgia; but I have not received it. That was the understanding.

Question. How much did you receive on the Patapsco while she was in the government employment?

Answer. Five per cent.

Question. How much on the Cecil?

Answer. On the Cecil I received one month's commission; that is all—five per cent. on one month's services

Question. You say you have never been interested in furnishing any forage to the government?

Answer. No, sir.

Question. You never received any such commission, except in one instance?

Answer. No commission, to my knowledge, on forage.

Question. You received commission on some hay?

Answer. Mr. Williams allowed me one per cent. on some hay he sold to government, that is all.

Question. You never assisted in selling any for anybody else?

Answer. No, sir.

Question. No forage of any description?

Answer. No, sir; I believe I bought, at one time, 20 or 30 bales of hay that landed on the wharf from a schooner, and sold it to government; it amounted to $70 or $80. I never had any contract with the government, or dealt with it in hay, oats, or corn.

Question. Whatever vessels are enumerated in these lists, that are now in the employment of the government, you are getting a per cent. on?

Answer. Yes, sir.

Question. Are the schooners J. W. Rumsey and R. C. & A. Ward on these lists?

Answer. No, sir.

Question. How happens it that they are not on them?

Answer. They were two that were taken up at Annapolis.

Question. Did you not take them up?

Answer. No, sir.

Question. Did you not charter them?

Answer. No, sir.

Question. Are you not getting any profits from them?

Answer. On the R. C. & A. Ward I got 2½ per cent. I never got anything on the Rumsey.

Question. Have they agreed to pay you anything on the Rumsey?

Answer. The captain, before he died, agreed to pay me something, but he is dead.

Question. Have you no written agreement?

Answer. No, sir, nothing but his word.

Question Who took them up?

Answer. Captain Slate.

Question. Who was he?

Answer. He was quartermaster at Annapolis at the time.

Question. Who effected the charters with Captain Slate?

Answer. The vessels were in Baltimore, and I sent them down to Captain Slate, and he chartered them.

Question. How happens it that you did not report those two vessels on your lists of vessels?

Answer. I don't know; they never appeared on my books.

Question. What other vessels have been chartered through or by you to the government, besides the Rumsey and the Ward, that do not appear on these lists?

Answer. I don't know of any.

Question. Do you know that there are no others?

Answer. I don't remember any others.

Question. From the fact that you don't recollect that there are any others, are you confident that there are no others?

Answer. I have a correct statement from my books, and I think I have every name down where I have effected the charter myself.

Question. You have on the lists, in one column, a statement of the percentage at five per cent.; you admit in your testimony that in many instances you have received more than five per cent.

Answer. In some instances on the list is down at 7½ per cent.

Question. What ones?

Answer. On the Portsmouth and Juniata I think you will find it.

Question. No, sir, it is down at 5 per cent.

Answer. It is a mistake, then.

Question. Can you give any explanation of that?

Answer. No, sir, I can't.

Question. If this account was taken from your books, how does it happen that your books do not correspond with your testimony?

Answer. The bookkeeper may have made out all the accounts at five per cent., but I received on the Portsmouth and the Juniata, and the tug-boat Pacific, 7½ per cent.

Question. According to your testimony the other day, did you not receive 7½ per cent. on several sailing vessels?

Answer. I guess not; I don't know of any sailing vessels that I received 7½ per cent. on.

Question. Have you not so testified?

Answer. No, sir, I think not; I might have received it for advances, but not for commission.

Question. Did you ever receive more than 2½ per cent. for advances?

Answer. No, sir; I advanced a great deal that I never got a cent for.

Question. Did you ever receive more than 2½ per cent. for collecting?

Answer. No, sir.

Question. Did you ever receive more than 5 per cent. for collecting and advancing?

Answer. I think I have.

Question. What was that balance for?

Answer. 2½ per cent. for advancing, and 5 per cent. for commission.

Question. Have you not received as high as 10 per cent. on sailing vessels?

Answer. No, sir, I don't think I have; I don't think I ever received 10 per cent. commission on a sailing vessel.

Question. I do not ask you what you call it, but have you not received more than 10 per cent. upon the earnings of a vessel while she was in the employment of the government?

Answer. No, sir; I never have.

Question. You are confident that you never did?

Answer. I am pretty confident that I never did.

Question. You would have remembered it if you had done so—it would have been so great a deviation from your general practice?

Answer. Yes, sir; I think so.

Question. What was the largest per cent. you ever received on any steamer?

Answer. 7½ per cent. is the largest I have received on the steamer Columbia. I chartered her for $300, and rechartered her for $350. That I don't call a percentage. I got, over and above the price I was to pay, $50 a day. She was then the cheapest boat on the list by $150 a day. The same class of boats in New York and Philadelphia were chartered at $550.

Question. Are you willing to swear that these lists contain a true abstract from your books as to the vessels that were chartered through your hands?

Answer. Yes, sir, that is an exact copy; they have a similar copy up at the War Department, made by the same clerk. I told him to make out an exact copy

Question. This, you say, corresponds exactly to the copy made by your clerk for the War Department?

Answer. Yes, sir; I told him to make it so exactly; I waited all the week for it; I set him to work at it Saturday morning when I went back, and he finished it last night. He has made all the entries on the books and attended to the business.

Question. You swear that these contain the name, tonnage, or burden, rate of pay per month or day, the amount of charter money received, and the per cent. received by you?

Answer. Yes, sir, according to the best of my knowledge and belief.

Question. And that you have no knowledge of any other vessels that have been chartered by, through, or under your direction, except those named here?

Answer. That don't embrace the vessels I chartered for the Burnside water expedition; I had no account of them; I chartered about ten vessels for that for Mr. Brant; no account is made of that.

Question. Then I understand that this does not embrace all the vessels that you have chartered?

Answer. It embraces everything except those few vessels I chartered to Mr. Brant for the water expedition; I kept no account of that. The charters were in his own name.

Question. When was that?

Answer. Last winter, a year ago.

Question. Was the Rumsey one of them?

Answer. No, sir; the Rumsey went down to take forage to General Burnside after he left.

Question. Was the Ward?

Answer. The Ward went down to take forage for that expedition.

Question. You chartered them?

Answer. No, sir.

Question. Did you not charter the Ward?

Answer. No, sir.

Question. Did you not charter them just as you did the others?

Answer. No, sir.

Question. There was an agreement that you should take commission on them?

Answer. One of them has paid me four months' commission; that is all I have received.

Question. Did you send any others down there?

Answer. No, sir; that went down with forage.

Question. About 8 or 10 that you chartered, besides these, do not appear on these lists?

Answer. Yes, I think about 8 or 10.

Question. Can you not remember some others?

Answer. No, sir; I don't think there are any others?

Question. What per cent. did you get on them?

Answer. 2½ per cent. When the McClellan expedition started I commenced keeping a list of everything I chartered; keeping books expressly for it, and a clerk entered up every charter-party.

Question. Did you charter many vessels for the Burnside expedition?

Answer. Not any; only my two.

Question. Were any of these vessels you chartered to the government for general purposes used for the Burnside expedition?

Answer. I think not; I don't remember of any of them.

I wish to state that I have in all cases stated to the owners or agents of all vessels and steamers I have chartered to the government that I was no government agent, and acted only as agent for them. That I received no pay from the government, and should charge them five per cent. commission on the amount they received under any charter I might effect with the government for them.

I wish further to state that I have paid no more for any vessel or steamer than I was instructed to pay by officers of the government; and in all cases, before the vessel or steamer was taken by the government, the price and particulars were named, and if they suited them, she was taken by the proper officer of the government.

I further state that all steamers taken by the government in Baltimore through me have been in better condition and less expensive to the government to keep them in repair, and have been chartered at a rate twenty per cent. less than that paid for boats of the same capacity for carrying freight and troops in other cities, as will be seen by reference to charter-parties now on file in the War Department.

I further state that I have devoted my whole time and that of three clerks, day, night, and Sundays, for the last fifteen months, to the service in fitting out vessels and steamers and in getting them ready to leave promptly after they have been chartered to the government, for which I have not received one cent from the government in compensation.

A. C. HALL.

WASHINGTON, *Friday, January* 9, 1863.

CHARLES COBLENS, being duly sworn, testified as follows:

Examined by the chairman.

Question. Where were you born?
Answer. In Prussia.
Question. When were you born?
Answer. In 1814.
Question. How long have you lived in this country?
Answer. Since 1839.
Question. Where did you live before this war broke out?
Answer. Baltimore.
Question. What business have you been engaged in?
Answer. I have been in the horse business in Baltimore.
Question. What do you mean by that?
Answer. Buying and selling horses.
Question. Has that been your entire business?
Answer. Yes, sir.
Question. How did you come to get out of the horse business into the boat business?
Answer. We could not make anything out of the horse business at all. There was nothing; I had to do something to make a living.
Question. What was the first vessel that you became interested in?
Answer. The tug-boat S. H. Haswell.
Question. Did you buy her?
Answer. Yes, sir.
Question. Of whom?
Answer. Of a man named Johnson.
Question. Where does he live?
Answer. In Baltimore.
Question. When did you buy her?
Answer. It has been some time ago.
Question. How long ago?
Answer. I suppose it has been about five or six months ago.
Question. What did you pay for her?
Answer. I think I paid $3,000.
Question. Don't you know?
Answer. No, sir; I don't know exactly how much. I think it was about $3,000.
Question. Why do you not know exactly?
Answer. I got several others, you see.
Question. Did you buy several others at the same time that you bought this of Johnson?
Answer. I did, shortly afterwards.
Question. When you bought her, did you not know for how much?
Answer. I believe it was $3,000. I would not swear for certain. I believe that was about it.

Question. How did you pay for it?
Answer. I paid him in cash.
Question. All in cash?
Answer. Yes, sir.
Question. In money or a check?
Answer. Money.
Question. Did you buy any other of Johnson?
Answer. No, sir.
Question. What did you mean by saying that you bought several others at the same time of him?
Answer. A few days afterwards—not of Johnson.
Question. Why are you not able to state the exact amount?
Answer. I think it was about $3,000.
Question. That is very indefinite?
Answer. That is as near as I can recollect.
Question. Who bought her for you?
Answer. I bought her through Mr. A. C. Hall.
Question. What did he charge you as commission?
Answer. He did not charge me anything. She was in charter. All he wanted was five per cent. on the charter.
Question. Is she in the government employ?
Answer. No, sir.
Question. How long since she ceased to be employed by government?
Answer. I suppose she has been out of employment about a month.
Question. When did the government discharge her?
Answer. They discharged her last month.
Question. What day last month?
Answer. I think it was between the 20th of December and the first of January, as near as I can recollect, when she was discharged.
Question. Was it nearer the first of January than the 20th of December?
Answer. I think it was about half-way between.
Question. About the 25th?
Answer. I suppose so.
Question. That is the best of your judgment; that she was discharged on the 25th?
Answer. Yes, sir.
Question. Was she chartered to the government when you bought her?
Answer. Yes, sir.
Question. Who had she been chartered by? Who was receiving the money that she earned from the government at the time you bought her?
Answer. I believe Mr. Johnson was.
Question. Did you agree at the time you bought her to pay Mr. Hall any per cent. upon the earnings of the vessel, so long as she remained in the employment of the government?
Answer. I agreed to pay him five per cent.

Question. During the whole time that she might remain in the employment of the government?

Answer. Yes, sir.

Question. Have you paid him that?

Answer. Yes, sir.

Question. When did you pay him?

Answer. I paid him as fast as I collected the money.

Question. How much was she chartered to the government for?

Answer. Forty dollars a day.

Question. You paying the expenses?

Answer. I paid the crew.

Question. How much did she cost to run her per day?

Answer. I suppose she cost about $15, and more, too, may be. I don't know exactly.

Question. How long was she in the employ of the government after you owned her?

Answer. From the time I bought her until last month. I bought her about five or six months ago, as near as I can recollect. I suppose she was used for six months by government—between five and six months.

Question. She cost you $3,000, and was under a charter yielding you $40 a day for six months?

Answer. Yes, sir.

Question. Then in the six months she yielded you over $7,000?

Answer. I have not made any calculation of what she made.

Question. Did you have anything to do with the steamboat Baltimore?

Answer. Yes, sir.

Question. Do you own her?

Answer. Yes, sir; I own part of her.

Question. How much did she cost?

Answer. I paid, I think, $21,500.

Question. Was she in the employment of the government then?

Answer. Yes, sir; she was.

Question. When did you buy her?

Answer. We bought her, I suppose, about five months ago. I am not certain.

Question. Who did you buy her of?

Answer. Of Friend, Rickett & Co.

Question. How much was she chartered at per day?

Answer. At $250 a day.

Question. Who were the owners besides you?

Answer. A man named John F. Pickrell; he lives in Baltimore.

Question. Who else?

Answer. A man named McFarlane; he owns one-fourth.

Question. Have you named all the owners of the steamer Baltimore?

Answer. A man by the name of Bell also.

Question. Is McFarlane one of the clerks of Colonel Belger?

Answer. Yes, sir.

Question. Is he still interested in the boat?

Answer. Yes, sir.

Question. Is he still a clerk there?

Answer. I don't know whether he is or not.

Question. When did you last see him in Colonel Belger's office?

Answer. He has been out of Colonel Belger's office for some six or eight weeks.

Question. Where is he?

Answer. At the Capitol, I believe—in the prison.

Question. Is the Baltimore still in the employment of the government?

Answer. Yes, sir.

Question. Where?

Answer. She runs from Baltimore to Beaufort.

Question. Do you own the steamboat Edwin Forrest?

Answer. Yes, sir.

Question. How much did you pay for her?

Answer. I believe she cost me $5,000—between $4,500 and $5,000.

Question. Is she still in the employment of the government?

Answer. Yes, sir.

Question. At how much a day?

Answer. At $40 a day.

Question. Do you own the Fairy Queen?

Answer. Yes, sir.

Question. At how much is she chartered?

Answer. At $40 a day.

Question. What did she cost?

Answer. Between $4,000 and $4,500.

Question. Do you know the Lioness?

Answer. She belongs to me.

Question. What did she cost you?

Answer. I think she cost $5,000.

Question. How much is she yielding you?

Answer. She gets $45 a day.

Question. The James Murray?

Answer. The James Murray is down at Hatteras inlet. I paid [illegible] own three-fourths of her.

Question. Do you own the Telegraph?

Answer. Yes, sir.

Question. How much did she cost you?

Answer. I don't know what she cost us. I think she stood us, by [illegible] went out, $6,000; I am not sure of it. That is as near [illegible]

Question. At how much is she chartered?

Answer. She pays $125 a day.

Question. How much does it cost you to run her?

Answer. She costs a good deal to run her.

Question. How much were you worth when this war began, or one

Answer. I suppose I was worth about from $15,000 to $20,000.
Question. In what did you have it invested?
Answer. I dealt in horses.
Question. In what way did you have the $15,000 that you were worth invested?
Answer. I had a good deal of money.
Question. Where did you keep it—where was it deposited?
Answer. I kept some of it at home, and some of it in bank.
Question. How much had you in bank?
Answer. I don't know indeed.
Question. Can you not estimate it?
Answer. I cannot guess how much. Sometimes I had right smart; at other times not so much.
Question. Who is interested in these tug-boats with you?
Answer. John F. Pickrell is interested in all of them.
Question. Who else is interested in them?
Answer. The James Murray, the captain owns one-fourth of her.
Question. Is anybody else interested in her?
Answer. No, sir.
Question. Are you paying Hall five per cent. on the earnings of all these vessels?
Answer. Yes, sir.
Question. Why do you do that?
Answer. The boats were all chartered when I bought them, and he got it before, and that was his contract.
Question. Do you know who he divides his per cent. with?
Answer. No, sir.
Question. Have you any idea?
Answer. No, sir.
Question. Have you ever heard him say?
Answer. No, sir.
Question. Did you ever pay or give any present or sum of money to any person who was in the employment of the government, for the purpose of getting him to aid you in getting a charter?
Answer. No, sir.
Question. Did you ever pay any money or make any present to any clerk in Major Belger's office?
Answer. No, sir. I paid one for the use of his money.
Question. Who was that?
Answer. McFarlane.
Question. How much money did you use of his?
Answer. I owed him one week $5,500. I had the money off and on. I borrowed it of him.
Question. How much did you pay him?
Answer. I just lumped it.
Question. What did you give him?
Answer. I gave him $225.
Question. Was that the most you ever paid him at one time?
Answer. That was all I ever gave him.

Question. When did you first know McFarlane?

Answer. I got acquainted with him at the office.

Question. How long had he been in Colonel Belger's office?

Answer. I don't know.

Question. How did he make his money?

Answer. I don't know.

Question. Where does he belong?

Answer. I don't know. I believe he belonged in New York.

Question. Who brought him to Baltimore?

Answer. I don't know, indeed.

Question. Have you sold any horses to government?

Answer. No, sir; I have not. I sold them a few at first, in the beginning.

Question. Have you ever paid any sum of money or any percentage to any other person than Hall?

Answer. No, sir.

Question. Have you ever promised to do so?

Answer. No, sir.

Question. Do you consider yourself under any obligation, moral or otherwise, to do so?

Answer. No, sir.

Question. Has Hall ever charged you more than five per cent.?

Answer. He has not.

Question. Have you ever had the amounts due you from the government on your charter-parties discounted by any one?

Answer. No, sir. I borrowed money and I gave the charter-parties for security at the Citizens' Bank of Baltimore.

Question. Did you ever borrow any money of Mr. Hall?

Answer. No, sir.

Question. Did you borrow any money from anybody except from the Citizens' Bank of Baltimore?

Answer. Yes, sir.

Question. Who?

Answer. A man named Solomon Schwap I owe $4,000 to; to a man named Spriggs I owe $8,000. I borrowed it of him; and I owe about $60,000 now in the Citizens' Bank of Baltimore. I have got my charter-parties all there for securities in the Citizens' Bank of Baltimore.

Question. Do you know of tugs, while in the employment of the government, being used to tow vessels for private parties?

Answer. No, sir.

Question. Have you any real estate in Baltimore?

Answer. I bought 80 acres of land, with a house, &c., the other day, a few miles from Baltimore, for $15,000. It is a very nice place. I have also three houses in Baltimore. I have had them for a long time.

Question. (By Mr. Morrill.) How long have you been living in Baltimore?

Answer. Since 1851. I think I moved there then.

Question. Had you any acquaintance with commerce, boats, ships, or anything of the sort, before you went into it five or six months ago?

Answer. No, sir; the man who is in it with me, Mr. Pickrell, was acquainted with it.

Question. Were you in company with him?

Answer. Yes, sir.

Question. (By the chairman.) Were you in company with him in the horse business?

Answer. No, sir.

Question. (By Mr. Morrill.) You formed a company with him to buy and run boats?

Answer. Yes, sir.

Question. Was it your purpose to buy the boats in order to charter them to the government?

Answer. I would not buy any boats without the charter was already made.

Question. How much in all have you expended for boats?

Answer. I have not made any estimate at all.

Question. Do you not know?

Answer. No, sir; I don't know how much I have invested in boats.

Question. Can you not tell pretty nearly?

Answer. Well, if I could figure it, I might.

Question. Have you never figured up to see what your purchases were?

Answer. No, sir.

Question. Who keeps the accounts of your concern?

Answer. We have a clerk.

Question. You have no idea of it?

Answer. No, sir. I am not a scholar. I can neither read nor write. I can write my own name. I can write German and read, but I can't English.

Question. Have you any idea whether you have bought $25,000, or $50,000, or $75,000 worth?

Answer. Well, I suppose the amount of $50,000 or $75,000 worth.

Question. Was your partner a man of means?

Answer. He has some means.

Question. How much?

Answer. I don't know how much.

Question. (By the chairman.) What business had he been engaged in before he joined you?

Answer. I don't know. I believe he has been in the commission business.

Question. Did you know him well previously?

Answer. I had a recommendation of him.

Question. Who recommended him to you?

Answer. Well, there was some one; I don't know who now—some friend of his.

Question. Was he a friend of yours?

Answer. I knew the man.

Question. You merely knew him?

Answer. I merely knew him.

Question. So you formed a partnership with him upon that?

Answer. Yes, sir.

Question. How much money did he put into the concern; do you know?

Answer. No, sir; indeed I don't. The way we do, I pay him so much money and he puts the balance to it.

Question. You pay who so much money?

Answer. Pickrell. I sometimes give him money. I pay him money and he disburses it.

Question. (By Mr. Morrill.) He is the business partner?

Answer. Yes, sir.

Question. In whose name are the boats held?

Answer. In my name.

Question. In your individual name or yours and your partner's?

Answer. My name.

Question. What is that for?

Answer. Well, I had the most means, I suppose; I had the most money.

Question. Had he any?

Answer. He had some money; I don't know how much.

Question. If you do not know how much he had, how do you know that you had the most?

Answer. He told me I had the most, and I could raise money. I could raise more money than he could; I had better credit. I could go to the Citizens' Bank and borrow. I had once owed over $100,000.

Question. What security did you give?

Answer. Sometimes I gave them all these papers for my boats; that is all the security I ever gave them.

Question. Did you purchase that land for yourself or him?

Answer. For myself.

Question. (By the chairman.) How old is your partner, Mr. Pickrell?

Answer. I don't know; about forty.

Question. Did he come from New York to Baltimore?

Answer. No, sir; he used to live in Baltimore.

Question. Is he a native of Baltimore?

Answer. I think he is a native of Georgetown. I don't know how long he has lived in Baltimore.

Question. When did you first see him?

Answer. I suppose it is going on three years since.

Question. What business was he then in?

Answer. In the commission business.

Question. With whom?

Answer. I don't know. He used to keep a mill—a flour-grinding mill. I have always had pretty good credit. I lived ten years in Ohio, and I could get along there. I was an honest man. An honest man can get along almost anywhere:

Question. Can you not recollect the man who recommended you to go into partnership with Mr. Pickrell?

Answer. No, sir.

Question. Have you no idea who he is?

Answer. No, sir.

Question. Did you never hear how much money he was worth?

Answer. No, sir.

Question. And you have no idea how much he put into the concern?

Answer. No, sir.

Question. It might have been $5,000 or $2,500?

Answer. Yes, sir.

Question. Just as likely to be one as the other?

Answer. Yes, sir. I know he had some money.

Question. Is it just as likely that he put $1,000 into your concern as $50,000?

Answer. I know he had a good deal more than $1,000.

Question. Will you please to answer my question?

Answer. I don't know whether I can answer your question or not.

Question. Do you know of anybody else chartering any vessels?

Answer. No, sir.

Question. You do not know of any other man chartering vessels?

Answer. No, sir.

Question. You do not know whether any more were chartered in Baltimore?

Answer. No, sir.

Question. You know of none being chartered in Baltimore?

Answer. No, sir.

Question. Has the government employed any other vessels but yours at Baltimore?

Answer. I don't know, sir; I never inquired much into this business.

Question. You never have heard of any being chartered there except yours?

Answer. No, sir.

Question. Either this year or last?

Answer. No, sir; I have not.

Question. Who signed these charter-parties of yours?

Answer. Some are signed by Captain Hodges, of New York; most of them are.

Question. Who signed the others?

Answer. I believe there is one or two signed by Colonel Belger.

Question. Are they transferred to you in any way?

Answer. Yes, sir.

Question. By whom?

Answer. The owners who owned the boats.

Question. How much money did you pay down when they were transferred?

Answer. I generally tried to make arrangements to pay all down.

Question. How much did you pay to Mr. Hall when they were transferred?

Answer. I did not pay Mr. Hall anything.
Question. How much have you paid Mr. Hall in all?
Answer. I don't know; I can't tell.
Question. What is your idea about it?
Answer. I can't tell. I swear I can't tell.
Question. Have you paid him $1,000?
Answer. O, yes, sir.
Question. Have you paid him $2,000?
Answer. I don't know, sir, indeed.
Question. Are you certain you paid him $1,000?
Answer. I would not swear for certain.
Question. Are you certain you paid him anything?
Answer. Yes, sir; I paid him five per cent. upon every boat.
Question. Upon the gross earnings or net earnings?
Answer. I get so much for the boat per day, and I pay him so much on what I get.
Question. Have you paid anybody else?
Answer. No, sir.
Question. Have you not paid him more than five per cent.?
Answer. No, sir.
Question. Who manages the boats? Who employs the men?
Answer. We do.
Question. You or Mr. Pickrell?
Answer. Sometimes Pickrell does, sometimes I do, but he does the most.
Question. What do you employ yourself about?
Answer. Well, not a great deal. I sit there in the office.
Question. What office?
Answer. Our office.
Question. Where?
Answer. At Smith's wharf.
Question. Do you keep a span of horses?
Answer. No, sir.
Question. Have you ever kept a span of horses?
Answer. No, sir; I keep one horse.
Question. What have you principally used him for this last year?
Answer. O, driving about.
Question. Have you ever put him under the control of any man?
Answer. No, sir.
Question. Have you ever held him subject to the use of anybody?
Answer. Yes, sir; I have loaned him, sometimes, to my friends.
Question. Who?
Answer. To a great many of my friends.
Question. To any person in the employment of the government?
Answer. Colonel Belger has used it some.
Question. Much?
Answer. Right smart.
Question. Did you keep him subject to Colonel Belger's order?
Answer. No, sir.

Question. Whenever Colonel Belger wanted a horse he always could get him of you?

Answer. Yes, sir; if I had him handy, anybody could use him.

Question. Could any one that wanted him use him?

Answer. Yes, sir; any of my friends. Other people used him more than I did.

Question. Did you keep a horse for all your friends?

Answer. I kept him for myself, but they came and asked for him.

Question. Did you not keep him in front of Colonel Belger's office?

Answer. I kept him right smart there.

Question. Subject to Colonel Belger's order?

Answer. Whenever he wanted him he took him.

Question. And whenever he wanted it, you got on and drove off with him?

Answer. Sometimes.

Question. Did he not always do so? Did you ever refuse him?

Answer. I have. I have not used my horse for the last two months.

Question. You have not used him since the examination began to be made into this matter?

Answer. No, sir; I sent him out to my place.

Question. You sent him out when the War Department began to investigate affairs up there?

Answer. Yes, sir; about two months ago I sent him out to my farm. The horse was sore, and wanted rest.

Question. You do not know whether anybody else has paid five per cent.?

Answer. I don't know.

Question. It is generally true, though?

Answer. They generally charge five per cent.

Question. You do not know whether any other vessels have been chartered there or not?

Answer. No, sir.

Question. Either by Hall or Belger?

Answer. No, sir.

Question. You do not know whether any vessels are in Baltimore harbor or not, do you?

Answer. No, sir.

Question. Do you not know whether there are any vessels in the harbor there or not?

Answer. I see some vessels lying there, but I don't know whose they are, or what vessels they are.

Question. Who have you been talking to in regard to your testimony here?

Answer. Nobody.

Question. Who besides Hall told you what you should swear to when you came before this committee?

Answer. Nobody told me.

Question. Do you say you never had any conversation with Hall in regard to your testimony before this committee?

Answer. No, sir.

Question. You never mentioned it?

Answer. No, sir.

Question. And you never had any conversation with Major Belger in regard to it?

Answer. No, sir.

Question. Were you in Major Belger's office a week ago last Sunday?

Answer. No, sir.

Question. Do you swear positively that you were not in his office or house a week ago last Sunday?

Answer. I was not, sir.

Question. Do you swear that you did not go to Major Belger's office to ascertain why he was brought down here, and what he testified to?

Answer. No, sir; I didn't.

Question. Do you swear positively that you never had any conversation at all in regard to your testimony here?

Answer. No, sir; I didn't.

Question. You never had any such conversation with Mr. Hall?

Answer. No, sir.

Question. Did you come down here from Baltimore with Mr. Hall?

Answer. I did.

Question. Did you know what he was coming for?

Answer. Yes, sir.

Question. Did he know what you were coming for?

Answer. Yes, sir.

Question. Yet you never exchanged a word?

Answer. No, sir; not a word.

Question. Then how did you know what he was coming for?

Answer. Mr. Hall and the man who summoned me came to my house last night together, and my folks told me Mr. Hall was coming here; and that Mr. Hall wanted me to come this morning at eight o'clock

Question. Did you see Mr. Hall last night?

Answer. No, sir; I was not at home. He and the officer were there last night. The officer did not know where I lived. I was not at home.

Question. How did you know Mr. Hall wanted you to come down at eight o'clock?

Answer. He left word I should call when I came home. When I came home it was late. This morning he came after the officer. He asked me to come down at eight o'clock. He had to come over here at ten, and by the time he came over here I would be done, and got through, and he would not lose any time.

Question. You came down together, and came from the depot to the Capitol, here, without exchanging a word as to what you were to swear to?

Answer. No, sir; we did not.

Question. Have you ever been sworn in regard to these transactions before?

Answer. Yes, sir.

Question. Do you state here to-day, on your oath, that you have testified here to just what you testified before on this subject?

Answer. Yes, sir, as near as I can recollect.

Question. Are these vessels, the names of which you have mentioned, the only ones in which you are interested—the only steamboats you have?

Answer. No, sir; Mr. Pickrell has two chartered—the barge Miss Mary and the tug-boat Lily.

Question. How much are they chartered for?

Answer. The barge Miss Mary is chartered for twenty-five dollars a day.

Question. How long ago was she chartered?

Answer. She has been chartered, I suppose, about six weeks.

Question. Where is she used?

Answer. She is used down at Fortress Monroe.

Question. What is the Lily chartered for?

Answer. Thirty-five dollars.

Question. Where is she used?

Answer. She is down at Fortress Monroe.

Question. Who chartered them?

Answer. Colonel Thomas, at Fortress Monroe.

Question. Do you pay five per cent. on them to Mr. Hall?

Answer. No, sir; I don't pay a cent.

Question. To whom do you pay the five per cent. on them?

Answer. To nobody.

Question. How did you come to get them chartered?

Answer. They wanted the barge for a hospital boat, and for prisoners.

Question. Who were they chartered to?

Answer. They were chartered to Captain Hunt.

Question. Did you employ any broker to charter them?

Answer. No, sir.

Question. Are you a man of family?

Answer. I am.

Question. How came you to agree to pay five per cent. on the earnings of your vessels to Mr. Hall?

Answer. Well, he got it before I bought them, sir.

WASHINGTON, *Saturday, January* 10, 1863.

CHARLES COBLENS, recalled, testified further, as follows:

Examined by the chairman.

Question. Where did you live from 1839, when you came to this country, until you moved to Baltimore?

Answer. I lived in Ohio.

Question. Where in Ohio?

Answer. At Marietta.

Question. In what business were you there engaged?

Answer. I kept a store there, and peddled, and I bought and sold horses.

Question. What did you peddle?
Answer. Notions and dry goods.
Question. When did you move to Baltimore?
Answer. In 1851.
Question. Do you now say you were at Colonel Belger's office a week ago last Sunday?
Answer. Yes, sir.
Question. Have you before this time given testimony or made an affidavit in relation to these transactions?
Answer. Yes, sir.
Question. Did you swear to the truth then?
Answer. Yes, sir, as near as I knew; as near as I could recollect.
Question. Have you ever had any government contract for horses and forage?
Answer. For forage I did.
Question. Have you ever sold any horses to any government contractors?
Answer. No, sir.
Question. Have you ever sold any to government?
Answer. Yes, sir; at the first commencement I sold them some horses.
Question. How many?
Answer. I don't know.
Question. How much did the government pay you for them?
Answer. I don't know.
Question. Can you tell neither the number you sold nor the amount paid?
Answer. No, sir.
Question. In what year did you make the contract?
Answer. It was in 1861.
Question. In what part of 1861?
Answer. In May or June.
Question. Who did you sell them to?
Answer. Colonel Belger.
Question. Was the number enough to mount one company, or a regiment?
The WITNESS. Does it take a thousand for a regiment?
The CHAIRMAN. Yes, sir.
Answer. No; it was not that many.
Question. Was it fifty?
Answer. Yes, sir.
Question. Was it five hundred?
Answer. No, sir.
Question. Four hundred?
Answer. No, sir.
Question. Three hundred?
Answer. No, sir; I can't tell you how many.
Question. For what price did you sell them?
Answer. From one hundred and fifteen to one hundred and twenty-five dollars.

Question. You did not sell them all at the same price?
Answer. No, sir.
Question. Nor at the same time?
Answer. No, sir.
Question. Where did you buy them?
Answer. I had men out buying through the country.
Question. How much forage did you furnish?
Answer. I don't know how much I furnished. I sold them hay, and oats, and corn.
Question. What did you sell the hay for?
The WITNESS. From the first beginning?
The CHAIRMAN. Yes, sir.
Answer. Seventeen or eighteen dollars.
Question. What at the close?
Answer. Twenty-five.
Question. Where did you buy the hay?
Answer. Some in New York; some at Baltimore.
Question. What did you pay?
Answer. I have forgotten what I paid.
Question. Do you know what you paid for any of it?
Answer. No, sir.
Question. Who was interested with you in the hay?
Answer. John F. Pickrell.
Question. Who in the oats?
Answer. John F. Pickrell.
Question. Who in the horses?
Answer. Wheat & Scott, horse-dealers.
Question. Was anybody else?
Answer. No, sir.
Question. Did you pay anybody any commission for securing the contracts?
Answer. No, sir.
Question. Did you make any one any present to secure a contract?
Answer. No, sir.
Question. Did you make any one a present to secure an examination or inspection of the horses?
Answer. No, sir. Do you mean in the beginning?
Question. At any time. Did you pay anything to any person in the employment of the government to get your horses to pass inspection?
Answer. I will tell you what I did. Before Colonel Belger commenced buying horses his inspector came to me, and I will tell you what he said. I bought some horses. This same inspector had bought some horses in Pennsylvania; he was inspecting in Pennsylvania, in Harrisburg or Lancaster, I don't know which place, and he made them pay. Well, the times were pretty dull with us. He said, "If you want them passed you have got to pay me $2 50 a head—if you want to do the business."
Question. Who said that?
Answer. The inspector. To secure the trade I had to do it. Colonel Belger bought a great many horses of individuals at that time, and

they had to give him five dollars a head. That is about all the commission I paid.

Question. You say you used to keep a horse in Baltimore ?

Answer. Yes, sir.

Question. For the use of your friends ?

Answer. For myself and the friends that wanted him.

Question. You sent him away a month or six weeks ago?

Answer. Yes, sir ; two months ago.

Question. What kind of a horse was it ?

Answer. A sorrel horse.

Question. What kind of a buggy was it?

Answer. A top buggy.

Question. Look at that man who is acting as reporter at that table, and tell me if you did not carry him, a week ago last Sunday, from Major Belger's office to the depot in Baltimore behind that same horse that you swear you sent away two months ago.

Answer. I recollect the gentleman. I saw him in Baltimore, but that was not my horse ; it was Mr. Hall's horse. It was a gray horse in a top buggy.

Question. How came you to drive it?

Answer. I drive it very often. It was not me that took him down. I think I took him down two or three months ago.

Question. Did you ever make any present to Colonel Belger ?

Answer. No, sir.

Question. Did you ever swear that you did ?

Answer. No, sir.

Question. Did you ever give him a pair of epaulets?

Answer. Yes, sir ; but I did not give them to him for a present. He had another pair, an old pair, and he gave me them, and he said whatever they fell short he would make good.

Question. Have you not sworn that you made him a present of a pair of epaulets ?

Answer. I swore I gave him a pair. I offered him a pair, and he said he would not take them without I took the old ones, and whatever they fell short he would make up to me.

Question. Has he made that up ?

Answer. I have not sold them yet.

Question. Are you going to sell them ?

Answer. Yes, sir.

Question. How much are they worth ?

Answer. I don't know.

Question. How much were those worth that you gave him ?

Answer. Sixty dollars.

Question. Do you deal in second-hand clothing ?

Answer. No, sir.

Question. Do you deal in second-hand cast-off epaulets ?

Answer. No, sir.

Question. Did you ever make such a transaction before ?

Answer. No, sir.

Question. Did you ever pay Colonel Belger any money ?

Answer. No, sir. I bought some clothes for him.

Question. What kind of clothes?

Answer. Good clothes. He had some clothes that did not fit him. I had some of them fitted for me.

Question. What did you do with them?

Answer. I took them home and wore them.

Question. Did you ever pay him any money?

Answer. No, sir.

Question. Have you ever paid Colonel Belger's bills for him?

Answer. Only one.

Question. How much was that?

Answer. I think it was forty dollars.

Question. How came you to do that?

Answer. He told me I should pay it, and he would refund the money to me at the end of the month or the beginning of the next month.

Question. You say that when you gave your testimony before you stated the truth. I hold in my hand your affidavit made before this examination in which you stated that you had paid Major Belger, directly or indirectly, about six or seven hundred dollars.

Answer. For clothes.

Question. You have paid him in clothes?

Answer. For clothing I have paid him the money.

Question. Which you have bought of him? Are those clothes he once wore?

Answer. Some he never wore. They did not fit him and he did not like them. Some he never wore.

Question. What is the value of those clothes?

Answer. I don't know.

Question. What do you estimate them at?

Answer. I don't know.

Question. What do you suppose they cost him?

Answer. I don't know.

Question. Have you any idea?

Answer. No, sir.

Question. How happens it that you are buying six or seven hundred dollars' worth of clothing of Colonel Belger when you do not know anything about their value?

Answer. I have not bought them at once. I did not buy them all at one time.

Question. But you have bought six or seven hundred dollars' worth of him?

Answer. Yes, sir.

Question. You do not know anything of their value?

Answer. Some were very good, some were not. Some were as good clothes as I ever wore in my life.

Question. Has he ever sold clothes to anybody else?

Answer. I don't know.

Question. Where did he get those clothes?

Answer. I don't know.

Question. Were they presents to him?

Answer. I don't know.

Question. How did it happen that you always could get access to Colonel Belger's office?

Answer. Well, Colonel Belger has used my buggy right smart. Once his feet were sore and he could hardly walk. I was not going to stand out doors when he wanted my buggy and services to wait all day. If he wanted me he must let me come in and let me be in.

Question. By furnishing your horse and buggy to Colonel Belger you secured admission to his office at any time?

Answer. Yes, sir.

Question. When other people were excluded?

Answer. Yes, sir; that is the way I got my admittance. I don't know anything about other people.

Question. When he rode in your buggy you were generally driver?

Answer. Yes, sir; most of the time.

Question. The reason you submitted to this—the reason you acted as his driver and furnished his team was to secure admission to his office?

Answer. Yes, sir.

Question. In that way you secured yourself in getting contracts?

Answer. No, sir.

Question. You could always have a chance to talk to him and do your business with him?

Answer. No, sir; no more than anybody else in his office.

Question. What advantage was it to you?

Answer. Because I could go in and see him and take him out.

Question. What advantage was that?

Answer. It was not a great deal; I never would do it again.

Question. Was your horse generally at the door of Colonel Belger?

Answer. Not generally; he was there most of the time though.

Question. You were generally about yourself, also, were you not?

Answer. If I had nothing to do at home I was.

Question. You were generally inside, except when you drove Colonel Belger?

Answer. I was not always inside.

Question. But most of the time?

Answer. I was there very often.

Question. You did that for the sake of getting to talk to Colonel Belger and his clerks?

Answer. Well, I could not talk to them much.

Question. You had some purpose?

Answer. I wanted to go in and see him sometimes.

Question. That was the reason you kept that buggy there and carried him out?

Answer. Yes, sir.

Question. Do you not think that your enjoying this privilege made the other contractors a little jealous of you?

Answer. Yes, sir; there is where the whole thing was; that was what made jealousy.

Question. You did this to enable you to make bargains and contracts with Colonel Belger?

Answer. Yes, sir.

Question. And he tolerated you, or allowed it, because of your furnishing these?

Answer. Yes, sir; he permitted me in his room or office.

Question. Who did you purchase the Baltimore of?

Answer. Friend, Rickett & Co.

Question. For how much?

Answer. I think she was $21,500, as near as I can recollect.

Question. What did you charter her for?

Answer. She was chartered.

Question. At what rate?

Answer. Two hundred and fifty dollars a day.

Question. Who, besides you, are now interested in her?

Answer. W. W. McFarlane owns one-fourth of her.

Question. Was he the clerk of Colonel Belger?

Answer. Yes, sir. A man named Bell, at Fortress Monroe, owns one-fifth of her; I and John F. Pickrell own the other part.

Question. Is the title in McFarlane or in his wife?

Answer. In his wife.

Question. Why is that?

Answer. I don't know indeed.

Question. Do you know Bell?

Answer. Yes, sir.

Question. When did you get acquainted with him?

Answer. Down at Fortress Monroe.

Question. Did you get acquainted with him before you bought the Baltimore?

Answer. Yes; long before.

Question. How came he to be interested in her?

Answer. I don't know.

Question. Do you know Captain Hunt?

Answer. Yes, sir.

Question. Did he come to you and ask you to let Bell in?

Answer. Captain Hunt came to me; I wanted to buy the boat about a month before, but was afraid; Captain Hunt is a very good judge of a boat. I saw him in Baltimore and asked him about the Baltimore; I asked him what kind of a boat she was. He said, "She is a very good boat, and if you buy her I will find a man will take one-fifth in her." I asked, "What price?" He stated the price, and I bought her for $500 less. When we bought her we gave $29,500 for her. I believe, but there was one month's charter due to her.

Question. So that she cost you $21,000?

Answer. Yes, sir; that would be $21,500.

Question. Has Bell ever paid you for his interest?

Answer. No, sir.

Question. Bell, then, owns one-fifth, and he has never paid anything?

Answer. No, sir.

Question. Has he any writing to show that he owns one-fifth?

Answer. Yes, sir.

Question. Did you deliver that to Bell or Hunt?

Answer. I sent it to Bell; he wrote to me that I should send the bill of sale down, and he would send me up the money; I did so, but I never got the money.

Question. How long ago was this?

Answer. It was a few weeks after I bought her.

Question. How long have you known Bell?

Answer. It is going on two years.

Question. Where did you first know him?

Answer. Down at Fortress Monroe.

Question. How long have you known Hunt?

Answer. About the same time.

Question. Is Hunt an employé of the government?

Answer. I don't know whether he is employed by the government or not. He is in the same kind of business that Mr. Hall does; he attends to the boats down there.

Question. Does he charter boats?

Answer. I don't know whether he does or not.

Question. Does he get a percentage on the charters of vessels?

Answer. I don't know.

Question. That is the business Mr. Hall does, is it not?

Answer. Yes, sir.

Question. Does not Hunt do the same?

Answer. I don't know whether he gets a commission or not; he attends to the boats.

Question. Does he buy boats, or get commissions?

Answer. I do not know.

Question. Then he does not do the same kind of business that Hall does?

Answer. He orders them about, and sees where they will be wanted; that is all I know about it; I have heard him order them.

Question. Has not the Baltimore paid for herself by this time?

Answer. Yes, sir; I think so.

Question. There is really nothing due from Bell, then?

Answer. I don't know whether there is or not.

Question. Is not his proportion paid for?

Answer. Yes, sir.

Question. Paid for by the proceeds of the charter-party?

Answer. Yes, sir; if I had known he would not send me the money, I would not have sent him the bill of sale down.

Question. Is Hunt harbor-master down there?

Answer. Yes, sir.

Question. Did you ever make him any presents?

Answer. I did.

Question. What?

Answer. I don't know whether you would call it a present.

Question. Did you give him two horses?

Answer. Yes, sir. Let me explain. He wrote to me first that I

should send him a family horse, and I sent him one. Well, after he had had that horse a while, he said I should send him a match to him. But the second horse I did not intend to give him at all, and I don't know yet whether I will or not. I have not received anything for him, and he didn't say anything about him at all since.

Question. How came McFarlane to be interested in the Baltimore?

Answer. Mr. McFarlane told me if he could get hold of the boat he would take an interest in her.

Question. Was he then a clerk of Colonel Belger?

Answer. Yes, sir.

Question. Did he ever pay for his interest?

Answer. Yes, sir.

Question. What did it amount to?

Answer. Five thousand and odd dollars. He gave me a certificate of deposit on Robert Turner for the balance of the money.

Question. Have you said anything about the tug-boat Cecil?

Answer. No, sir; she is sunk; she is out of service. She cost us $10,000 or $11,000 to repair her. They sunk her down between Fortress Monroe and Norfolk.

Question. Do you know George M. Lamb?

Answer. Yes, sir.

Question. Was he a clerk of Colonel Belger?

Answer. Yes, sir. He is now over at the Old Capitol, (prison.)

Question. What presents have you made to him?

Answer. I suppose I made presents to him to the amount of between two and three hundred dollars.

Question. You gave it to him because you thought it would be of advantage to you in the transaction of your business?

Answer. I gave it to him so I could get my contracts filled up rapidly; because Colonel Belger took off $800 on 164 tons of hay which he would not take when I was ready to deliver it, but he took it when hay got up to $25 a ton, and I thought if this thing should hang in that way it would not do.

Question. You got that fixed?

Answer. Yes, sir; that contract.

Question. Do you know Alexander H. Miller?

Answer. Yes, sir.

Question. Did you ever pay him anything?

Answer. I gave him a suit of clothes; that I did as a charitable act. He never did anything for me whatever.

Question. How much did you pay McFarlane?

Answer. Two hundred and twenty-five dollars.

Question. That was for his assistance rendered to you?

Answer. Yes, sir.

Question. That was while he was in Colonel Belger's office?

Answer. Yes, sir.

Question. Do you know a man named Wm. T. Bixler?

Answer. Yes, sir.

Question. What present did you give him?

Answer. A suit of clothes.

Question. Anything else?
Answer. No, sir.
Question. Have you agreed to give him anything else?
Answer. No, sir.
Question. Do you know a man named Joseph Shane?
Answer. Yes, sir.
Question. What office did he hold?
Answer. He used to sign the checks—to fill up the checks.
Question. He was paying clerk in Colonel Belger's office?
Answer. Yes, sir.
Question. What presents did you make to him?
Answer. About forty dollars—it was ten dollars each time—thirty or forty dollars. He is a very poor man. I did it more for charity than anything else.
Question. In your deposition you swear that you did it partly for charity and partly to facilitate making your checks—is that true?
Answer. Yes, sir.
Question. Did you have anything to do with a corn contract?
Answer. I did.
Question. Was it condemned corn?
Answer. No, sir; I did not buy condemned corn.
Question. Was it not condemned?
Answer. No, sir; not my corn I offered to Colonel Belger. I never offered him any condemned corn.
Question. Were you not interested in a contract that Pickrell entered into with Colonel Rucker for condemned corn?
Answer. Yes, sir.
Question. Was it not condemned?
Answer. Four or six car-loads were condemned.
Question. Was that sent back to Baltimore?
Answer. A long time afterwards it was. It was not worth hardly anything when it came back. The corn was gone a good long time.
Question. Did you enter into a contract with certain other gentlemen, or did you meet certain gentlemen in a hotel in Baltimore when a contract was given out?
Answer. Yes, sir.
Question. Who were the gentlemen you met there?
Answer. A good many.
Question. Name them.
Answer. I can't name them all. There was Mr. Robert Turner, a man named Moore; Mr. Walcott, he was Secretary; a man named Phillips, of Baltimore.
Question. And a man named Fuller?
Answer. Yes, sir.
Question. And a Mr. Grover?
Answer. Yes, sir.
Question. And Lane and Kidder?
Answer. Yes, sir.
Question. How came you to go?
Answer. I was with the contractors.

Question. Did Colonel Belger recommend you to go?

Answer. Colonel Belger told me there was going to be big contracts given out, and there was a meeting at such a place.

Question. He advised you to go down and attend it?

Answer. Yes, sir. I was invited by the others, too. He did not invite me. He said there was the contract to be given out, and we were to sign a bond.

Question. Did not Colonel Belger invite you to go there?

Answer. He asked me to go there. I did not need much invitation. I wanted to go myself,

Question. You have furnished a good many horses, have you not?

Answer. Not so overly many. I did not furnish a great many horses. I quit the horses directly.

Question. Have you ever refunded any money to the government that you received improperly on your horse contracts?

Answer. Yes, sir. I refunded $1,500.

Question. Was that the whole amount that you had improperly received?

Answer. I don't think I received that improperly. They made me give it up.

Question. Did you not swear that you received it corruptly and improperly?

Answer. No, sir; I swore that if the government wanted it—if they thought I was not to have this money—they could have it. If the government wanted the money, I would refund it, but I did not think it was done legally.

Question. Do you know a man named Lee?

Answer. Yes, sir.

Question. What is his Christian name?

Answer. Sam Lee. That's the very rascal that done it.

Question. Did you have any conversation with him before Colonel Belger commenced buying horses?

Answer. Yes, sir.

Question. What did he say?

Answer. He came to me and said, "There is a great many horses to be wanted here." He was the agent of the government. He was the inspector. He said, "I charge individuals $5, but I will let you dealers off at $2 50." I thought if we wanted to trade, we had to do it to secure the trade.

Question. So you and Lee, the inspector, made $5 on each horse?

Answer. No, sir. I paid him $2 50 for what I sold. Others, individuals, paid from $2 50 to $5. For individuals he charged $5. It was an open order, and Colonel Belger bought a good many of private people. Lee charged them all $5 a head. He let me off for $2 50. If you had brought a horse there to sell, he would have charged you $5; me he charged $2 50. That is the whole secret of it. He charged that for inspecting.

Question. Where is Lee?

Answer. I don't know.

Question. Who employed him?

Answer. I don't know. He had a recommendation from Gene-

Banks, I think, when he went over to Pennsylvania. I am not sure of that.

Question. By whom was he employed in Baltimore as inspector?

Answer. Colonel Belger had him to inspect the horses. He employed him.

Question. Did the colonel know that he was taking that five dollars?

Answer. No, sir; as soon as the colonel found it out he made him leave. He marched him pretty soon. That is all the horse business I did for the government. I am sorry I did that.

Question. Was there not an arrangement between you and Lee by which Lee should inspect the horses that you brought to him, whether they were worth the amount or not?

Answer. No, sir.

Question. Have you not on a former occasion testified that Lee passed horses for you as being worth $120, when in reality they were only worth $60 or $80?

Answer. No, sir; he did not do that.

Question. Did you not swear to that before?

Answer. I had one horse, I believe, that cost $60, and some $75 or $80; but sometimes we buy a horse for $60 that is worth as much as one we pay $125 for. I don't know what they were worth.

Question. Did not Lee pass horses for you, and certify for you that you were entitled to $120 per horse for horses that were really worth only $60 or $80?

Answer. No, sir.

Question. Have you not so sworn before?

Answer. I had horses that cost me $60 to $80, and they passed; they were sound, good horses; but Lee did not know what they cost.

Question. You received from government, through Lee's inspection, $120 per head for those horses?

Answer. Yes, sir; but I had some I paid $125 for. Some I paid $80 for were just as good.

Question. Have you been able to refresh your recollection as to the amount of money that Mr. Pickrell put into your partnership?

Answer. I have not.

Question. Can you not remember how much he put in?

Answer. No, sir.

Question. Can you not recollect who recommended that you should take him in as a partner?

Answer. No, sir. [I think Colonel Belger introduced me to him.]*

Question. You cannot remember the first conversation you ever had with him in regard to his becoming a partner of yours?

Answer. No, sir.

Question. You cannot remember the exact time that you formed the partnership?

Answer. No, sir; I cannot.

Question. You cannot remember the money you yourself put into the concern?

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* The words in brackets were added subsequently—February 4—by the witness, upon his testimony being read over to him.

Answer. No, sir; I can't say. I know Colonel Belger owed me $18,000 when I went in there for horses—when I formed the partnership with Pickrell.

Question. How much did you owe?

Answer. I didn't owe a great deal.

Question. State how much.

Answer. I can't recollect.

Question. Did you owe $10,000?

Answer. No, sir.

Question. Do you swear positively that Pickrell is your general partner in these transactions?

Answer. Yes, sir.

Question. And that he is entitled to one-half of all the profits?

Answer. Yes, sir; of what is between him and me in these vessels.

Question. And that he is liable for one half of all the losses?

Answer. Yes, sir.

Question. Do you know whether Mr. Pickrell admits this or not?

Answer. No, sir.

Question. How happens it that the business is done in your name?

Answer. I don't know. I wanted it. I don't know how. I had more facilities to raise money than he had—to make the story short.

Question. Is that the only reason why the business is transacted in the name of Charles Coblens?

Answer. I think so. I don't know any other reason.

Question. Is it generally understood in Baltimore that he is your partner?

Answer. It is. I think it is.

Question. Does he admit that he is your partner?

Answer. Certainly.

Question. Does he claim to be such?

Answer. I don't know whether he claims it or not, but he admits it.

Question. Does he sign contracts in your name?

Answer. No, sir; he can't sign my name. Each one signs his own name.

Question. If you and your partner are doing business in the name of Charles Coblens, why is he not allowed to transact business in the name of the firm?

Answer. We never allow anybody to sign another's name.

Question. Suppose there is a transaction to be reduced to writing in connexion with one of these vessels in which you are jointly interested, whose name would he sign?

Answer. He can't sign my name. He has got to sign his own name.

Question. What validity would there be in his signing his name to a transaction in which you are interested?

Answer. I don't know. I never allow anybody to sign my name. I always do that part myself.

Question. Has he ever charged you any commissions for doing business?

Answer. No, sir.

Question. Have you ever paid Mr. Pickrell any compensation whatever for transacting any of your business?

Answer. No, sir.

Question. Have you ever paid him any sum of money?

Answer. Himself—no, sir.

Question. In no way?

Answer. I paid his wife money once.

Question. What did you pay her money for?

Answer. She wanted it.

Question. How much did you pay her?

Answer. I forget how much; not much. It was for a present. Some presents, I believe, for New Year's or a Christmas gift.

Question. Was it $50?

Answer. I forget how much it was.

Question. Was it $100?

Answer. I suppose so. I don't know how much. It was just merely for a present.

Question. Was it $500?

Answer. No, sir.

Question. Was it $400?

Answer. No, sir.

Question. Was it $300?

Answer. No, sir.

Question. Was it $200?

Answer. It was not over $200. I don't know whether it was two.

Question. You think it was about $200?

Answer. Yes, sir.

Question. Was it money?

Answer. Yes, sir; it was my check.

Question. You gave her $200 for a Christmas present?

Answer. Yes, sir.

Question. Was it the Christmas of 1862 or 1861?

Answer. It was not this last Christmas.

Question. You did not make her any present this last Christmas?

Answer. No, sir.

Question. Did you make Pickrell any presents?

Answer. No, sir.

Question. Did you ever pay him anything, directly or indirectly?

Answer. No, sir.

Question. Did you ever promise to pay him anything?

Answer. No, sir.

Question. Do you consider yourself under any obligation to pay him anything?

Answer. No more than the interest in the business.

Question. Where is Mr. Pickrell?

Answer. In Baltimore, I guess. I have not seen him since yesterday morning.

Question. How came you to buy the steamer Cecil?

Answer. A man wanted to sell her.

Question. Was that the only reason?

Answer. Yes, sir; the man wanted to sell her.
Question. Did you not want to buy her also?
Answer. Yes, sir.
Question. Did you buy her at your own instance?
Answer. Yes, sir.
Question. Did anybody recommend her to you?
Answer. Mr. Pickrell did.
Question. Did anybody else?
Answer. Mr. Hall brought the subject up.
Question. Did anybody else propose to you to buy her?
Answer. No, sir.
Question. Did you ever have any conversation with Mr. Hall about buying her?
Answer. No, sir; I don't think I did. If I did, it was a day or two before I bought her.
Question. Did not Mr. Hall threaten to discharge your charter-parties unless you bought her?
Answer. No, sir.
Question. Do you swear positively to that?
Answer. Yes, sir.
Question. Did you ever have any conversation with Mr. Hall about buying the Cecil?
Answer. Not as I recollect, until we bought her.
Question. Did you pay him any percentage upon buying her?
Answer. No, sir; not a cent.
Question. Who did you buy her of?
Answer. I think his name was Rice.
Question. What did you pay for her?
Answer. Five thousand dollars.
Question. When did you buy her?
Answer. It has been some time. I suppose it has been about five months.
Question. What has she been employed in?
Answer. She has been out of service about two months.
Question. What was she in before?
Answer. She was at Fortress Monroe, employed in carrying prisoners.
Question. What sum was she chartered at?
Answer. Eighty dollars.
Question. How came you to think of buying her?
Answer. I bought her as a speculation. I bought her on recommendation.
Question. You never had seen her?
Answer. No, sir.
Question. Who suggested the propriety of buying her?
Answer. I think it was Mr. Hall.
Question. Did not Mr. Hall persuade you that it was your interest to buy her?
Answer. I don't believe he did. He asked me to buy her.

Question. He convinced you that it was your interest to buy her, or else you would not have bought her?
Answer. No; I convinced myself.
Question. You knew nothing of her value?
Answer. No, sir.
Question. You judged of the value of the vessel from Hall's reports?
Answer. Yes, sir.
Question. Exclusively?
Answer. Yes, sir.
Question. Did he tell you how old she was?
Answer. I don't know whether I asked him or not.
Question. How much did you pay Hall as his commission?
Answer. Not a cent.
Question. How came he to be so interested in selling her?
Answer. I don't know.
Question. Did any part of the purchase-money go to him?
Answer. No, sir; I paid all to Rice.
Question. Did not Hall tell you that he got part?
Answer. No, sir.
Question. Did not Rice?
Answer. No, sir.
Question. Did you ever talk with anybody else except Hall about her before you bought her?
Answer. No, sir.
Question. You were at Baltimore and she was at Fortress Monroe when she was bought?
Answer. Yes, sir.
Question. You never had seen her, and did not know her age?
Answer. No, sir.
Question. Nor her size?
Answer. Yes, sir; we knew her tonnage.
Question. How?
Answer. By Mr. Hall's recommendation. I forget what it was.
Question. What is her length?
Answer. I don't know.
Question. How many boilers has she?
Answer. Only one.
Question. What is her width?
Answer. I don't know.
Question. How is she finished off?
Answer. She is finished off now in style. She is new now.
Question. Have you been repairing her?
Answer. She cost about $11,000. They sunk her down there one day. They sent her out with a heavy load.
Question. You had such confidence in Hall that you took her on his recommendation?
Answer. Yes, sir.
Question. You did not know anything about her?
Answer. No, sir.
Question. How much did you agree to pay the owners?

Answer. Five thousand dollars.
Question. Where was the owner?
Answer. He was in Baltimore.
Question. Did you make the contract with Rice?
Answer. Yes, sir; we did make it with him.
Question. Where did you make it?
Answer. I think it was at Mr. Hall's office, if I am not mistaken.
Question. Was Mr. Rice there?
Answer. Yes, sir; I think he was.
Question. Are you certain of that?
Answer. I think so.
Question. Are you willing to swear that Rice was there?
Answer. No, sir; I would not be willing to swear positively. He might not have been at Mr. Hall's office when I bought her.
Question. Are you willing to swear that you ever had any conversation with Rice in regard to her?
Answer. I had all the conversation I had with him.
Question. What was your conversation with him?
Answer. All the conversation I had with him was, I paid him the money.
Question. Did you pay Rice the money?
Answer. Yes, sir.
Question. But that was after the contract was made?
Answer. Yes, sir.
Question. Was it after the papers had been executed?
Answer. Yes, sir.
Question. Was it after the vessel had been delivered to you?
Answer. No, sir; he didn't deliver her to me until I paid for her.
Question. You never talked with Rice, or had any conversation with him until after the papers had been made out?
Answer. No, sir; Mr. Pickrell did the talking to him.
Question. Then you did not have any conversation with him at all?
Answer. No, sir.
Question. At the time you paid the money Pickrell did the talking?
Answer. I paid the money myself.
Question. Did you go with Pickrell?
Answer. Yes, sir.
Question. Was Hall with you?
Answer. No, sir; I paid him the money at another place.
Question. How did you pay it?
Answer. I think I gave him a check for $5,000.
Question. Are you willing to swear that the check was for $5,000?
Answer. I am willing to swear that I paid him for the Cecil, whether it was a check or money.
Question. I want to know the amount.
Answer. That I can't say. I paid him $5,000. Whether I paid the whole in a check or not I can't swear.
Question. Did you make more than one payment?
Answer. I made only one payment.

Question. If you did not pay him $5,000 at that time there is something due yet?

Answer. No, sir; I paid all down. He would not trust nobody.

Question. Then you swear you paid the full amount?

Answer. Yes, sir; when I bought her.

Question. Then the check you paid Rice amounted to $5,000?

Answer. I dont know whether it was the check for the whole amount or a part of it money.

Question. Do you not know whether you generally did your business with checks or with money?

Answer. I did some with checks and some with money, just as I had it.

Question. Were you ever induced to buy a vessel by any one upon the representation that if you did not do it your other charter-parties should cease?

Answer. No, sir.

Question. Have you ever stated that you were induced to buy the Cecil by Hall, who represented to you that if you did not do it your other charters should cease?

Answer. No, sir.

Question. What presents did you ever make to Hall?

Answer. Nothing.

Question. To his wife or family?

Answer. Nothing.

Question. None to any member of it?

Answer. No, sir.

Question. Have you ever transported any freight for government?

Answer. That I am not able to say. Government generally loaded them. I don't attend to the boats at all after they are in government employ. If they have any freight to ship they ship it themselves.

Question. Have you ever transported any freight belonging to the government on boats belonging to you and not chartered?

Answer. I don't recollect.

Question. Who keeps your books?

Answer. We keep them ourselves.

Question. What is the name of the man who keeps them and takes care of them?

Answer. Captain Galt. I don't know what his first name is.

Question. How long has he been your bookkeeper?

Answer. He is not our bookkeeper. Our bookkeeper's name is Deggs. I don't know his other name.

Question. Where is your office?

Answer. No. 73 Smith's wharf.

Question. Do you own the Telegraph?

Answer. Yes, sir.

Question. What is she worth?

Answer. I don't know what she is worth.

Question. What did you give for her?

Answer. I declare I don't know what she cost us.

Question. Who did you buy her of?

Answer. I don't know the man's name.
Question. Nor where he is?
Answer. No, sir.
Question. Where did you buy her?
Answer. In Baltimore.
Question. You do not know the man you bought her of, nor the amount you paid?
Answer. No, sir.
Question. Nor when you bought her?
Answer. I know we sold part of her.
Question. Who to?
Answer. A man named Kane.
Question. For how much, and what part?
Answer. Three thousand dollars for one-third.
Question. You considered her worth $9,000?
Answer. Yes, sir.
Question. What is she chartered for?
Answer. At $125 a day.
Question. When was she built?
Answer. I don't know.
Question. Where was she built?
Answer. I don't know.
Question. You are the most extraordinary ship-merchant I ever knew. You do not know the age of your vessel, nor where——
WITNESS. No, sir; if you was to cut my throat now I could not tell where she was built.
Question. You do not know of what material she was built, nor who you bought her of, nor what you paid?
Answer. No. sir.
Question. Do you know who owns her with you?
Answer. Yes, sir.
Question. Do you know who chartered her of you?
Answer. Colonel Belger, by recommendation from Mr. Tucker.
Question. How long ago?
Answer. Four or five months ago?
Question. At $125 a day—government furnishing coal?
Answer. Yes, sir.
Question. Where is she employed?
Answer. At Fort Delaware.
Question. What is she doing there?
Answer. They keep a boat there.
Question. If her charter expired to-day, what would you consider her worth—if she were out of government employment?
Answer. That I can't tell. She may be torn all to pieces when she comes home.
Question. If she were as good as when she went away, and government would not employ her any more, what would she be worth?
Answer. If she were as good as when the government employed her, I don't believe I would take $10,000 for her if I wanted to stay in the business.

Question. Do you know Captain Loper?

Answer. I have seen him. I never talked to him.

Question. Where did you see him?

Answer. At Baltimore.

Question. When?

Answer. It has been some time. It was away a long time ago.

Question. Where was it?

Answer. In Colonel Belger's office, I think.

Question. What was he there about?

Answer. I don't know. I merely heard some men mention his name. I never had any conversation with him.

Question. You do not pay him any per cent.?

Answer. No, sir.

Question. Mr. Pickrell swears that he is not your partner; how do you reconcile his testimony with yours?

Answer. Well, I divide the profits with him; you can take it any way at all. I don't know whether you call it a partnership or not. I don't tell you anything but the truth.

Question. I repeat the question. Pickrell swears that he is not your partner; how do you reconcile his testimony with yours?

Answer. Well, that is the only way I can testify. I have got to give him half of the profits I make.

Question. Don't you give him half of the profits for the sake of getting these contracts?

Answer. He has nothing to do with the contracts. I get them all myself.

Question. You think you do?

Answer. I know I do.

Question. Do you not give him one-half of the profits for the sake of getting these charter-parties?

Answer. No, sir.

Question. How can it be that you furnish the capital, transact the business in your own name, get the charter-parties yourself, and do most of the business, and yet he gets one-half of the profits?

Answer. Well, he understands the business better than I do. I don't know nothing about the business. You see I am no scholar. I can neither read nor write. That is the misfortune with me. I can write German. That is a great misfortune.

Question. Pickrell testifies that he has only acted in connexion with you as your agent in disbursing money for the boats?

Answer. He does all the disbursing. I give him the money and he disburses it.

Question. How do you reconcile that testimony with the testimony you have given?

Answer. I told you all. I have told you how my business is now. You can judge that for yourself.

Question. You still cannot remember upon whose suggestion it was that you took Mr. Pickrell in as your partner?

Answer. No, sir.

Question. You still cannot remember that he put any money into your firm?

Answer. No, sir.

Question. Are you not rather inclined to think that he did not put any in?

Answer. I think he had some money.

Question. Can you now state how much?

Answer. I can't tell. I give you my word of honor I can't tell.

Question. If he has put it into your firm, and you are responsible for it, you ought to know what it is?

Answer. I ought to know, but I don't know.

Question. When did he pay in any money for the benefit of the partnership?

Answer. I don't know when.

Question. Did he ever do it?

Answer. Yes, sir.

Question. You can't tell when or for what?

Answer. I don't know.

Question. To whom?

Answer. I can't say. You see he has got the whole control in his hands. I give him money to pay it and disburse it, and I don't know then how he pays it or who he pays it to.

Question. You do not know anything about it?

Answer. No, sir.

Question. You furnish the money, and do not know what becomes of it?

Answer. He disburses it, I don't know how?

Question. You cannot read the books, and therefore cannot tell anything about it?

Qnswer. No, sir. That is one reason I keep a clerk.

Question. Do you learn it from the clerk?

Answer. No, sir; I never ask the clerk anything.

Question. Then, if you can neither read nor write, and do not ask the clerk, how do you know how the business stands.

Answer. He shows me sometimes.

Question. Who shows you?

Answer. Pickrell?

Question. If you cannot read nor write, how can you tell what he shows you?

Answer. I can read figures. Mr. Pickrell shows me.

Question. He is not your clerk?

Answer. No, sir; he disburses the money, and he shows me sometimes.

Question. You say you keep a clerk as a check on Mr. Pickrell?

Answer. Yes, sir; but I don't ask the clerk any questions at all about it.

Question. Do you never ask him anything?

Answer. I never say a word to him.

Question. You trust the whole thing to Pickrell?

Answer. Yes, sir; the whole thing.

Question. You cannot remember the time when you and Pickrell formed a partnership?

Answer. No, sir; I can't. I think it was in July. I don't know whether it was or not.

Question. Do you know any persons who are relatives of Mr. Pickrell?

Answer. Yes, sir; Mr. Spriggs, cashier of the Merchants' Bank, is his father-in-law—a very nice man.

Question. Any others?

Answer. Jo. Spriggs is his brother-in-law. He is a banker.

Question. Has Mr. Pickrell any relative who is an officer in the army?

Answer. I think he has a nephew. I don't know what his name is.

Question. Where is he?

Answer. I don't know.

Question. Is he a quartermaster?

Answer. No, sir; I think he is a brigadier general. I can't tell his name.

Question. Do you know whether he has any other relatives in the employment of the government?

Answer. No, sir; not as I know of.

Question. Have you ever helped anybody in getting a contract?

Answer. No, sir.

Question. Have you never recommended anybody?

Answer. No, sir; I never attend to anybody's business but my own.

Question. Did you never recommend anybody to apply for a contract?

Answer. No, sir.

Question. You furnished all the money for your firm?

Answer. No, sir; not as I know of. I think Mr. Pickrell had some money.

Question. Do you think he had a thousand dollars?

Answer. I can't say.

Question. Do you not know that he had not a thousand dollars?

Answer. No, sir; I can't tell.

Question. Do you not know that he had not five hundred dollars?

Answer. I can't tell; I can't form any idea. I don't want to say anything I don't know. I ought to know.

Question. Are you not satisfied that he did not furnish for the benefit of your partnership five hundred dollars?

Answer. No, sir; I can't say that.

Question. Are you satisfied that he did not furnish ten?

Answer. Yes, sir; he did not furnish ten, (thousand.)

Question. Did he furnish one thousand?

Answer. I don't think I can recollect, I think he had some three or four thousand dollars; but I would not say this for sure.

Question. What did he do with it?

Answer. I suppose he put it into the business?

Question. Do you know?

Answer. I can't swear to it.

Question. What did he buy with it?

Answer. He bought some forage, I suppose. I would not swear to it positively. I think he had that much money.

Question. What kind of forage did he buy with it?

Answer. Whatever government wanted.

Question. When did he buy it?

Answer. When I had the contracts.

Question. Have you not already stated that Pickrell had nothing to do with your contracts for forage?

Answer. No, sir; I didn't swear that at all.

Question. Did you not state that he was your partner only as to boats?

Answer. No, sir; that would be a real falsehood, if I swore that.

Question. Do you know of his using one cent of his money in connexion with your boat business?

Answer. I don't know.

Question. Do you not know that Pickrell is not your partner in the transaction of your boat business?

Answer. I know he gets half of the profits. That is all I can answer. I consider him my partner.

Question. Don't you know that he is not furnishing one cent for your transactions in the boat business?

Answer. No, sir; I don't.

Question. Can you swear that he is furnishing one cent?

Answer. No, sir; I can't.

Question. You only know that he gets one-half of the profits?

Answer. That is all.

Question. You furnish the money?

Answer. Yes, and attend to it all.

Question. You furnish the horse and buggy, and keep it there in front of Colonel Belger's office?

Answer. The horse and buggy belong to the concern.

Question. What concern?

Answer. Me and Pickrell. I have charged it.

Question. How do you know it is charged?

Answer. I know he gave me the money to pay for it—Pickrell did.

Question. Where from?

Answer. From the bank.

Question. Then it belongs to him, does it not?

Answer. No, sir; he charged it to the concern.

Question. How do you know?

Answer. I guess you will find it so on the books.

Question. How do know it?

Answer. He tells me he did. I suppose he would charge what money he pays out.

Question. You have already sworn that that horse belonged to you?

Answer. Not private.

Question. Yes, sir; I so understood you.

Answer. Well, it belongs to the concern.

Question. Do you take back that part of your testimony?

Answer. You did not ask me that.. If you did, I misunderstood you.

Question. Did the horse and buggy belong to the firm of Pickrell & Coblens?

Answer. Yes, sir.

Question. Then there is such a firm as Pickrell & Coblens?

Answer. It don't go that way.

Question. How does it go?

Answer. If I get a contract it goes in my name. All the contracts go in my name, and he disburses the money and pays what is wanted. That is the way it goes.

Question. How long have you known Pickrell?

Answer. I have known him about a couple of years—it will be two years this summer.

Question. You never were much acquainted with him until you formed a partnership with him?

Answer. No, sir.

Question. You did not know anything about his character?

Answer. I did not.

Question. Nor about his capital?

Answer. No, sir.

Question. Nor about his family?

Answer. No, sir. I knew his father-in-law.

Question. You knew nothing about the business he had been engaged in?

Answer. No, sir.

Question. You did not know him, but took him into partnership upon some one's recommendation?

Answer. Yes, sir.

Question. You did not, then, know who the man was?

Answer. No, sir.

Question. You intrusted him with the disbursing of the whole business?

Answer. Yes, sir.

Question. You have never looked at the books to see what their condition is?

Answer. No, sir.

Question. You do not know what any one of these charter-parties recites—what is contained in any of these charter-contracts—their provisions?

Answer. No, sir.

Question. You do not know whether you have made a profit or lost since you have been in the business?

Answer. No, sir.

Question. You do not know whether you are worth anything now or are insolvent?

Answer. No, sir, I don't. I have made some money; I don't know how much.

Question. You have never made any division of profits between yourself and Pickrell?

Answer. No, sir.

Question. You never have paid Pickrell any money?

Answer. No, sir; I never paid to him anything, except to his wife. I paid his wife once something. She paid my children something.

Question. How much money have you on deposit now?

Answer. None; my money is all in the government; I am bare now.

Question. Has Mr. Pickrell any in his name?

Answer. No, sir.

Question. Are you interested in the bank account kept in his name?

Answer. No, sir; each one keeps his own account.

Question. Is he interested in the bank account kept in your name?

Answer. No, sir.

Question. In whose name is this joint-bank account kept?

Answer. We have no joint bank account.

Question. Did you deposit the moneys you received from your charter-parties?

Answer. Yes, sir.

Question. Where?

Answer. At the Citizens' Bank of Baltimore.

Question. In whose name?

Answer. Charles Coblens; my own name.

Question. Is he interested in that deposit?

Answer. No, sir; not while it is in my name.

Question. Is he interested in these charter-parties as long as they are in your name?

Answer. Of course.

Question. Why is he not interested as much in the deposit in your name as in the charter-parties in your name?

Answer. Because I don't want anybody to sign my name.

Question. Is that the only reason?

Answer. Yes, sir, that is the only reason; and I think it is a very good reason, too.

Question. Did you have any talk with Hall before you formed a partnership with Pickrell?

Answer. No, sir.

Question. Did he ever recommend you to form a partnership with him?

Answer. No, sir.

Question. Did you ever have any conversation with him about Pickrell since?

Answer. No, sir.

Question. Does Hall know that you are in partnership with Pickrell?

Answer. I suppose so.

Question. Do you know that he does?

Answer. He ought to.

Question. Have you ever had any conversation with him in regard to it?

Answer. No, sir; I had no conversatioa with anybody about that.

Question. You never said to any one before that Pickrell was your partner?

Answer. Not that I can recollect.

Question. Did you ever tell anybody in the world that Pickrell was your partner until you stated it here under oath?

Answer. May be I did.

Question. To whom?

Answer. I can't tell. I don't know whether I did or not. I do not say for certain. May be I did say so.

Question. Do you recollect of having ever told any human being, until you swore to it before this committee, that Pickrell was your partner?

Answer. Yes, sir; I have.

Question, Who to?

Answer. I don't know.

Question. Did you affirm or deny, when you were sworn before, that Pickrell was or was not your partner?

Answer. When they asked me, I think I said it was so. If that question was asked, I did say it.

Question. Did you, upon any other occasion, ever say that Pickrell was your partner?

Answer. I think I was asked once. I was asked some several times, I don't know who the persons were, who was my partner, and I told them; I said John F. Pickrell.

Question. Do you know of Pickrell ever admitting that you were his partner?

Answer. I don't know whether he did or not.

Question. Did you ever have any conversation in regard to your partnership in the business with him, or with any one?

Answer. No, sir.

Question. You have about six or seven hundred dollars' worth of Major Belger's old clothing on hand?

Answer. No, sir; I have not got that much on hand.

Question. How much have you on hand?

Answer. I don't know how much.

Question. You had six or seven hundred dollars worth?

Answer. Yes, sir; in all.

Question. Who have you sold any to?

Answer. Different persons.

Question. Name one?

Answer. I can't name nobody.

Question. Of what value did you sell?

Answer. I can't tell.

Question. What garments that you received from him did you sell; coats, pantaloons, vests, or what?

Answer. Some coats, some vests, some pants.

Question. What kind of coats?

Answer. Dress coats.

Question. How many?

Answer. I don't know.

Question. Who did you sell them to?
Answer. I don't know.
Question. Did you sell them at your own house?
Answer. Some of them I did.
Question. How many?
Answer. I don't know.
Question. Did the most of those you sold them to come to your house?
Answer. Yes, sir; most of them.
Question. Were they Jews that you sold them to?
Answer. Not all.
Question. Were any of them?
Answer. Yes, sir.
Question. You sold them to old clothes establishments?
Answer. Not all old clothes; some were new.
Question. How much did you get for them?
Answer. I don't know. I didn't make any money in the operation.
Question. Where did the men live that you sold them to?
Answer. I don't know; in Baltimore.
Question. Where did these men come from?
Answer. I don't know. I saw them and told them.
Question. Where did you see them?
Answer. I don't know. I saw some in the streets—some places.
Question. You met them on the streets and told them, knowing that they were dealers in that sort of garments?
Answer. No, sir; they wanted them for their own use.
Question. How did they know of them?
Answer. I asked them. Some of them I gave to a clothing store to sell.
Question. Where is that clothing store?
Answer. In Pratt street. I don't know the number.
Question. Who kept it?
Answer. Simon Wetsburg.
Question. When did you sell the garments to him?
Answer. He sold them for me.
Question. How many?
Answer. I don't know.
Question. What did he get for them?
Answer. I don't know what he got for them.
Question. How much did he pay you?
Answer. I have not settled with him yet.
Question. When did you take them to him?
Answer. I don't know. It has been a good while.
Question. Has it been a year?
Answer. No, sir.
Question. Has it been nine months?
Answer. About six months.
Question. You cannot remember whether it was ten dollars, or what?
Answer. I can't remember what I got for it.

Question. You cannot remember the kind of clothes?

Answer. No, sir.

Question. You only know that they were some old clothes that you got of Colonel Belger?

Answer. They were some old clothes that had been worn.

Question. Were they nearly worn out?

Answer. No, sir; they were not worn out.

Question. Were those that he got pretty much all the clothes that you received from Colonel Belger?

Answer. No, sir; I did not give him all.

Question. Was there any invoice of the clothes you received from Major Belger—any paper specifying what the clothes were when you bought them of him?

Answer. Yes, sir.

Question. Have you got that?

Answer. No, sir.

Question. What has become of it?

Answer. I don't know. I tore it up, I suppose. I didn't keep it. It was of no account to me.

Question. Why not?

Answer. Because I didn't want it.

Question. Did your clerk make any entry of it?

Answer. No, sir.

Question. There is no entry on your books showing the amount that you paid Major Belger, or the amount that you received for the clothes?

Answer. No, sir.

Question. Who did you buy the epaulets of that you gave to him?

Answer. Campfields.

Question. What are you going to do with the epaulets you received from him—wear them?

Answer. I want to sell them.

Question. Has Mr. Hunt ever offered to attend to your business at Fortress Monroe?

Answer. Yes; to attend to my boats. He offered to keep them from being knocked about.

Question. Does he attend to those boats down there?

Answer. Yes, sir.

Question. What do you pay him?

Answer. Nothing.

Question. Does he do it for nothing?

Answer. That is what I gave him those two horses there for—for attending to my business.

Question. Is he in the employment of the government as harbor master?

Answer. I don't know whether he is in the government employment or not. He is harbor master. Sometimes our captains down there get drunk, and there is nobody to attend to the boats there, and they knock the boats all to pieces.

C. COBLENS.

WASHINGTON, *Monday, January* 12, 1863.

Major General STEWART VAN VLIET, being duly sworn, testified as follows:

Examined by the chairman.

Question. In what capacity are you now acting in the service of the United States?

Answer. I am a quartermaster in the United States service, at present on duty at New York.

Question. Have you been engaged in procuring transportation for the United States army?

Answer. I have, sir.

Question. State when you commenced chartering vessels.

Answer. I commenced chartering vessels about two or three months since.

Question. Did you charter any before that time?

Answer. No, sir, not since the commencement of the war; I might have chartered one or two, but I have no recollection of it.

Question. For what purpose were these vessels chartered that you have chartered?

Answer. I chartered vessels under the direction of the quartermaster general, to take ten thousand troops to Hilton Head. I received his order in the latter part of October.

Question. Through whom did that order reach you?

Answer. General Meigs.

Question. Of whom did you effect your charters?

Answer. I effected them of different persons. I only chartered a very few for that expedition—the Argo, the Atlantic, the Baltic, the Thames, the Spaulding, the Curlew, the Thorn, the Matanzas, and the City of Bath. Besides those vessels, I have chartered a very few—I should judge not over half a dozen—for different services, and always by direction of the quartermaster general, for particular service.

Question. Who signed the charter-parties on the part of the owners of these vessels?

Answer. Generally the agents.

Question. Who were the agents?

Answer. There were different owners; I cannot recollect their names.

Question. Was there, in the chartering of these vessels, any intervention of a third party, other than the legitimate brokers, or the owners of the vessels.

Answer. None that I am aware of; and I should think that very few brokers, if any, chartered those vessels, as they belonged to companies; several of them did, and I chartered them of the agents of these companies. I will say here that I have made it a rule, as far as possible, to charter directly from the owners of vessels in all cases, though the business is such that a good deal of it is necessarily done through brokers; the merchants themselves do it for small vessels—sail vessels.

Question. Did you have anything to do with chartering vessels used about Fortress Monroe and on the Potomac?

Answer. For Fortress Monroe I have not. For the Potomac I have chartered two boats for ice-boats to keep the river open, by order of the quartermaster general. One of them was the John Brooks, which was for an ice-boat, and the other was the Stevens, a tug-boat fitted up as an ice-boat.

Question. Who did you charter them of?

Answer. I chartered both from their owners. The John Brooks I chartered from one of the owners, Captain Acker. As to the other I do not know his name, but it was from the owner of the boat.

Question. What did you pay Captain Acker for the John Brooks?

Answer. I paid him $700 a day. For the Stevens I paid $120. The John Brooks is a large, powerful boat, covered with oak timber up and down, and then the iron plating; the expenses of the owners were about $6,000 to put her in condition. She was a heavy freight boat, and was chartered for a freight and ice-boat.

Question. When did her charter-party commence?

Answer. She commenced, I think, two weeks ago—two or three weeks.

Question. How long did you charter her for?

Answer. For ninety days.

Question. Was the government to furnish the fuel?

Answer. I believe so. I would not say positively. There are some vessels they furnish coal to, and some furnish their own coal. In some the government furnishes it for twenty days, and they for the rest of the time.

Question. Did you make any estimate of the expense of running her when you chartered her?

Answer. No, sir; I knew tolerably well. She was chartered before this, I think, by Captain Hodges, for $800 a day. She was used in the army of the Potomac for some time; I do not know how long. I reduced her $100, and with very great reluctance on their part, because an ice-boat is in danger of being lost.

Question. Is this Captain Acker the John P. Acker, of the St. Nicholas Hotel, New York?

Answer. John P. or John A. Acker; he owned the boat.

Question. Is the charter-party dated for the time she was chartered for?

Answer. Yes, sir; from the time she was taken into the government service. She was sent from Fortress Monroe to Hatteras with troops and stores, but was taken up by General Dix when she returned. They had no boat at Hatteras that could stand that trip; she was sent there, and sent immediately up here when she got back.

Question Did you have those transports that you chartered to go to Port Royal inspected by anybody?

Answer. They all have their inspection papers.

Question. But there was no other inspection?

Answer. No, sir; nothing but the usual inspection of the usual United States inspectors; but they were all good new boats; I knew them to be so.

Question. Were they all adapted to outside navigation?

Answer. Yes, sir; and for outside navigation, at that season of the year, I knew the importance of it, and would not take anything but good ones.

Question. Have you chartered any sailing vessels?

Answer No, sir; a good many have been chartered for the Banks expedition; I have chartered none.

Question. What inconvenience or injury to the government arises from chartering vessels as they were formerly chartered by public advertisement through the quartermaster's department?

Answer. If we had time, sir, I think it is likely that that would answer very well; but the exigencies of the service, the many troops that we have scattered around, and the movements that are to be made, render it impossible to go through that form.

Question. Has there ever been an expedition got up with vessels selected in a shorter time than two or three weeks?

Answer. Probably not, sir; it depends on the size of it.

Question. Has there ever been a time when there was not, in New York, Philadelphia, and the other eastern ports, all the vessels that were required for the purposes of any expedition that has been fitted out? Have there not been vessels enough there?

Answer. Yes, sir; there were always boats enough there.

Question. Would not a week's notice in the newspapers have been effectual to bring in proposals to furnish transportation?

Answer. Well, I hardly think so in military operations. If we advertised we would have such a diversity of offers, owing to the different classes of boats, that it would be almost impossible to decide which was the lowest offer.

Question. If you advertised for sea-going outside vessels of a certain tonnage that would pass inspection, would you not be able to secure them?

Answer. I presume we could secure them, but not with the despatch that we can by going and taking them up at once.

Question. The shipping men of New York say that you could.

Answer. I don't know; I think it very likely that if we were getting up a large expedition and had time to advertise it would result to the interest of the government to advertise.

WASHINGTON, *Monday, January* 12, 1863.

JOHN F. PICKRELL, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence and occupation.

Answer. Baltimore city. Commission merchant.

Question. How long have you resided in Baltimore?

Answer. Nearly 20 years; 18 or 19 years.

Question. How long have you been engaged as a commission merchant?

Answer. Since I have been there—18 years.

Question. What kind of a commission merchant?

Answer. Well, sir, my business has been very much with the south.

My principal business is cotton, rice, and sugar—wholly on commission. I have done some English business—not as much as my southern business—and some eastern business. I did quite a large business with Eastport and Portland, and some business with Bangor.

Question. Have you been in the shipping business?

Answer. O, yes, sir.

Question. Have you been a broker in vessels?

Answer. No, sir, unless that would be embraced in my commission business I have chartered very many vessels. I did the Eastport business.

Question. Did you charter them, as the agent, of the owners of the vessels?

Answer. Yes, sir. I did the Eastport business for several years, and chartered nearly all their vessels.

Question. Who has been your partner?

Answer. Mr. Butts. My business commenced in Baltimore as Butts, Pickrell & Co George W. Butts, E. Pickrell & Co. My brother, of Georgetown, and myself were partners.

Question. Is that partnership still existing?

Answer. No, sir; that lasted only for two years. E. Pickrell & Co. retired, and the business was continued under the style of Butts, Pickrell & Co., only Mr. Butts and myself being the partners.

Question. Are you and Mr. Butts still associated together?

Answer. No, sir; that partnership expired about eight years ago—it may even be nine years. I speak from recollection, and cannot tell positively. I then, for probably a year afterwards, did business in my own name; only, I wound up the business of Butts, Pickrell & Co. I had the settlement of the whole of the affairs of their business. I then took in as a partner with me a young man named Louis Warrington, whom I had raised. My business was then done under the name of John F. Pickrell & Co., up to May, 1861. Mr. Warrington was from Virginia, and got into the riot in Baltimore in April. I did not choose to be compromised by it, and insisted upon the firm being dissolved. It was dissolved, and he went south, and is now south—at least I believe he is. I have heard nothing from him for over a year. Since then I have done business in my own name, John F. Pickrell.

Question. Have you any partner?

Answer. No, sir; I have no partner, sir.

Question. Have you a partner in any business?

Answer. Yes, sir.

Question. Who?

Answer. Mr. Coblens. I would like to explain that.

Question. Is he your general partner?

Answer. No, sir, not at all. I have no general partner.

Question. What is he partner in?

Answer. We own vessels together—that is to say, I own part and he owns part, and others own parts of them. The interest is distinct, defined by regular bills of sale. The forage business that has been done there I have settled and closed up. I charged a commission on it, and put the amount of profit on the account, $5,600, which was

the entire profit to the or credit of Mr. Coblens. I charged my commission recollect, and what I made was about what he made on it.

Question. Did you charge your commission, too?

Answer. I charged it to the account, sir.

Question. To the account of what, and of whom?

Answer. To the account of the disbursements for account—the money that I have disbursed in the purchase of hay, oats, corn, &c.

Question. You and Coblens are interested in furnishing the oats, hay, corn, &c., are you?

Answer. We are interested in this way: I have no transactions whatever with Colonel Belger; I cannot have any; would not have any. He is a rude, rough man, and I had a very violent quarrel with him in July or August, 1861. I am now speaking from recollection, too, sir. I am coming as near as I can. Colonel Belger and myself had a conversation. Our conversation was upon simply a matter of common, ordinary intercourse, and it occurred in the presence of other gentlemen. When I saw him again he said I had insulted him. I simply said to him: "If I have insulted you, please take your satisfaction; I am perfectly responsible, as you very well know." That is the last intercourse I ever had with him. I thought he was particularly rude and rough to me. I ought to make a little explanation here. I want to be particular upon this point. Colonel Belger came to Baltimore when the city was excited, and he brought letters of introduction to me. I called to see him; invited him to my house; was polite to him; proposed to have him invited to the club there, and was more particularly polite to him because of the circumstances that existed at the time in Baltimore. We had an unfortunate state of things in Baltimore. There are people in Baltimore who had undertaken to frown down those who take a position in opposition to theirs. I had been very solicitous about Colonel Belger. My brother wrote to me from Georgetown. They were masons and acquaintances. My brother wrote to me that Colonel Belger was a gentleman that I must be polite to. I tried to be particularly polite, and was exceedingly offended when he was rude to me in his office, and I spoke sharply to him. He then said that I had insulted him, and put it in that way. I said: "Well, you must take your satisfaction; I am perfectly responsible." Since then I have had not half a dozen interviews of any kind with Colonel Belger; none on business. That occurred in July or August, 1861.

Question. Are you and Coblens interested in furnishing forage to the army?

Answer. We are interested in this way: I have made disbursements for account of forage, and I have charged the account with money. I have paid for forage, and I have charged a commission on that. That account is settled up, and my commission amounts to about what Mr. Coblens's profits are—not much exceeding them, if at all.

Question. Coblens had the contract with the government?

Answer. Yes, sir, he had everything of that kind.

Question. It was in his name?

Answer. O, yes, sir. I never collected anything.

Question. He made the contract and collected the money?

Answer. O, yes, sir.

Question. He furnished the capital to buy it with?

Answer. Yes, sir, excepting that very often—I suppose three-fourths of the time—I was more or less in advance.

Question. In advance of what?

Answer. In advance of receipts of money from him.

Question. How much capital did Mr. Coblens put into this forage business?

Answer. I cannot tell you.

Question. How much did you put in?

Answer. I have put in no capital at all.

Question. You did the business?

Answer. I did the business and made the advances. I am in advance now twenty-five thousand dollars, upon Mr. Coblens's business.

Question. You advanced money to enable him to do the business?

Answer. Very often, sir.

Question. You advanced money to enable him to buy this forage with it?

Answer. Sometimes I did.

Question. How much did you advance to him?

Answer. I cannot tell you at all. He had facilities for raising money which I knew nothing of. I knew nothing whatever about the man. I never heard of him before this business was proposed to me.

Question. Who proposed it to you?

Answer. Colonel Belger. Colonel Belger did not propose it to me, exactly, but it was through Colonel Belger. I saw this man in Colonel Belger's office. That was the first acquaintance or knowledge I had of Coblens. Although living in Baltimore for sixteen years previous, I had never heard of the man. He is a Jew, and an excellent man.

Question. Your commissions and percentage on this forage amounted to what?

Answer. To just about what he makes.

Question. Less than seven thousand dollars?

Answer. Between six and seven thousand. That is his entire profit on the forage he has furnished Colonel Belger.

Question. That is his profit on the business with which you have been connected?

Answer. Yes, sir.

Question. Has he had other business besides?

Answer. That I cannot tell. Coblens was a horse trader.

Question. Had you anything to do with his trading in horses?

Answer. No, sir.

Question. Now in regard to the steamboat business: what vessels is Coblens interested in?

Answer. It would require a little time to state, sir. I will begin with the Baltimore, the Patapsco, the Haswell, the barge Delaware, the Fairy Queen, the James Murray, the Lily, the Miss Mary, the Telegraph, the Cecil. I believe that winds up, sir; I think so.

Question. What interest has Mr. Coblens in the Baltimore?

nswer. He has a little over one-fourth. There is a one-fifth inter-
held by Col. Sam. Bell, of Fortress Monroe; a one-fourth interest
l by W. W. McFarlane; eleven-fortieths by Mr. Coblens, and
en-fortieths by me.
uestion. How came Bell to be interested in the Baltimore?
nswer. The Baltimore belonged to Friend, Ricketts & Co. They
e of Baltimore. She was chartered to the government by Cap-
Hodges, and the charter-party had run some three months. The
ments in New York were very dilatory, and they were exceedingly
ly men. They had been in trouble in the difficulties that oc-
ed in Baltimore. They were liquidating their business. They
d not collect their money as promptly as they wanted it, and, in
ition to that, they were charged with being secessionists, and they
every reason to believe from the action of Mr. Hoffman, the col-
or of the port at Baltimore, that she would be thrown out of ser-
. There were two circumstances operating on them to compel a
of that vessel.
uestion. I asked about Bell.
nswer. They offered the vessel, with the accumulated charter,
n't recollect how much that was, for $45,000. Mr. Coblens said
; Mr. Clarke agreed to loan him the money, but he was afraid to
. While this thing was in negotiation, James M. Hunt, of Nor-
, came up to Baltimore on business. He and Coblens were
nds. He proposed to Captain Hunt to take an interest in that
el, and said, if so, he would buy her. The proposition was
pted by Captain Hunt, and then he came to me to take an in-
st. I said, "Yes." He said, "If you take an interest, I will
her." Captain Hunt told me he intended to remit Coblens
money for his interest—one-fifth. He wrote me afterwards that
oblens would send him a bill of sale he would remit him the
ey. Coblens did send him a sale bill, but he did not remit the
ey. He gave the order to have this sale bill made in the name of
Samuel Bell, whom Coblens well knows—so his letter read. I
ot know it.
uestion. Who is Captain Hunt?
nswer. He is the wharfinger, I suppose, at Fortress Monroe.
uestion. Is he harbor-master?
nswer. No, sir, he is not harbor-master. He is an employé of
government at Fortress Monroe. I do not know his official posi-
. He is not harbor-master. He is a very accomplished man in
els.
uestion. Is he a Baltimorean?
nswer. No, sir. I have seen him a good many times, and he has
t admirable judgment about a vessel; probably a great deal of
wledge of vessels.
uestion. Was the Baltimore paid for at the time she was pur-
ed?
nswer. She was paid for within ten days.
uestion. How was the money raised with which she was paid for?
nswer. Coblens borrowed it. I informed myself particularly on
point by inquiry at the Citizens' Bank. I went there, and Mr.

Gest, the cashier of the Citizens' Bank, told me he lent Mr. Coblens forty-five thousand dollars to buy the Baltimore. I would remark that the whole of Mr. Coblens's papers were always left at the Citizens' Bank as collateral security for large sums of money, which he always owed them.

Question. Then Coblens made all the advances for the Baltimore?

Answer. Every dollar. He borrowed the money from Mr. Gest.

Question. How came you to be interested in the Baltimore?

Answer. That was the agreement at the time of the purchase. agreed to take an interest.

Question. What advantage was it to Coblens to let you have an interest if he had to pay for her?

Answer. I suppose, in the first place, he could not have borrowed the money excepting with a full knowledge on the part of Mr. Gest that I was managing and controlling that boat, and that the funds should be appropriated, in accordance with his contract, for the return of the money.

Question. How much was she chartered for?

Answer. Two hundred and fifty dollars a day.

Question. When was that?

Answer. I cannot tell, sir. It was certainly three months previous to that purchase by Mr. Coblens.

Question. The Baltimore, by this time, has paid for herself?

Answer. She still owes, on the account, about $18,000. Then there is back freight due her. She has probably about paid for herself. There would not be much difference either way.

Question. What interest have you in the Patapsco?

Answer. I have one-half interest in the Patapsco. I had one-third, and afterwards bought the half of another share.

Question. Who owns the other half?

Answer. Mr. Coblens.

Question. How much is she chartered for?

Answer. She is not chartered at all. She is out of service.

Question. Wheu did you buy her?

Answer. I really cannot tell, sir.

Question. How long has she been in government employment?

Answer. Six months probably, sir. She may have been even more.

Question. What was she chartered for?

Answer. Eighty-five dollars a day.

Question. What did you pay for her?

Answer. Mr. Hall bought her, or rather brought her to the attention of Mr. Coblens. Captain Leslie, the city commissioner, sold her to Mr. Coblens from the city. The sale bill came from the mayor, the present mayor of the city, for $1,200. I do not want you to leave the Patapsco without letting me make some explanation.

Question. You can do so?

Answer. The Patapsco is an iron boat, built by Wells & Miller, whom I sent for to make particular inquiries in reference to her. She was built by contract by Wells & Miller for South America, at a cost of $10,000. The parties who sent them this order failed, and they had the boat thrown on their hands. Mr. Wells told me that she

cost him between eight and nine thousand dollars, and if the sale had been consummated he would have made a very poor business out of it. She drew but three feet water. She is an iron double engine boat. I consider, and he considers, and he has more knowledge of such matters than myself, although I am familiar with them, that she was a cheap contract at $10,000. The city (under this appropriation by Congress to do some dredging there) bought this boat at about $6,000. She drew three feet of water. They put a false keel on her, making her draw four and a half feet. After the appropriation ceased, this and a good many other boats were thrown on the hands of the city. She lay in that condition for two years. It was then that she was bought at $1,200. The bills of repairs upon her amount, as I can establish, to beyond $5,000; that is the whole cost, including the $1,200—between five and six thousand, certainly as much as five, that is, for the repairs and first cost, ($1,200.) The expense attending her has been very large since, and it has not been a very profitable business. She has required very large repairs, and a very large crew.

Question. Do your books show that the repairs upon her amount to between five and six thousand dollars?

Answer. I say, (including the first cost,) it exceeds that, it exceeds $5,000.

Question. We have testimony here showing it to be $2,700.

Answer. That is probably one of the bills. It simply is not correct. I wish to know if my testimony conflicts in any way with any other, and I think it simply due to me to have an opportunity, and I will produce vouchers for everything I say.

Question. How about the Haswell?

Answer. The Haswell was bought from a man named Johnson. She cost twenty-four or five hundred dollars, and incidentally a large bill of repairs. To what extent I do not know.

Question. When was she chartered to the government?

Answer. Four or five months, or may be six months previous to the purchase.

Question. Is she still employed by the government?

Answer. No, sir. It was several months previous to the purchase by Coblens that she was chartered.

Question. When was she bought?

Answer. She was bought after the Patapsco.

Question. How long afterwards?

Answer. I don't know.

Question. When she was taken into the employment of the government how much was she chartered for?

Answer. Forty dollars a day.

Question. The Delaware, is she still in the employment of the government?

Answer. The Delaware was a very large barge. She was sunk at Lookout.

Question. How much was she chartered at per day?

Answer. The Delaware and Lioness were chartered together—bought together. They had been in charter four months when Mr. Coblens

bought them. They were at $115 a day for the two—forty-five and seventy.

Question. What has become of the Lioness?

Answer. The Lioness is here in charge of Colonel Rucker.

Question. Does she belong to Coblens?

Answer. Yes, sir.

Question. What does she pay.

Answer. Forty-five dollars a day.

Question. Did Coblens pay for her?

Answer. Yes, sir.

Question. Do you own an equal interest?

Answer. I have an equal interest with him in both those boats.

Question. The Fairy Queen?

Answer. The Fairy Queen is in Baltimore. She has been down to Acquia Creek, but she is back in Baltimore, I think.

Question. Is she in the employ of the government?

Answer. Yes, sir.

Question. At how much a day?

Answer. At forty dollars?

Question. Are you interested in her?

Answer. Yes, sir.

Question. Equally with Coblens.

Answer. Yes, sir.

Question. What did she cost?

Answer. About $5,000. I cannot tell you particularly; may be $5,500.

Question. The James Murray?

Answer. The James Murray is at Hatteras; at least I presume so.

Question. Is she in the employment of the government?

Answer. Yes, sir.

Question. At how much a day?

Answer. She is getting but $75 a day. The colonel very unfairly, I think, reduced the charter there.

Question. When?

Answer. Two or three months ago.

Question. How much did she cost?

Answer. I cannot tell you, sir. We own her. I own one-half of three-fourths of her, and Mr. Coblens one-half of three-fourths.

Question. Who owns the other one-fourth?

Answer. The captain.

Question. The Miss Mary?

Answer. The Miss Mary is at Fortress Monroe.

Question. How much did she cost.

Answer. She cost $1,250, first cost, but her repairs, &c., run it up to $2,250 or $2,300.

Question. How much is she chartered for?

Answer. Twenty-five dollars a day.

Question. Are you jointly interested in her?

Answer. Not jointly interested. I have a distinct interest in one-half. My interests are represented by bills of sale, showing a distinct interest.

Question. The Lily?

Answer. She is also at Fortress Monroe, and is chartered at $35 a day. I have an interest in her. I would say in reference to the Lily and the Miss Mary I made those charters. The Lily is making twenty dollars a day less than I expected to have got and should have got, and the Miss Mary about ten dollars less. It is impossible for those boats to make any money at those rates.

Question. The Telegraph?

Answer. The Telegraph is at Fort Delaware.

Question. How much are you getting for her?

Answer. One hundred and twenty-five dollars a day.

Question. Do you own her?

Answer. I own one-half of her. I originally owned one-third in her.

Question. How much did she cost?

Answer. She cost $2,200 here; I mean, in the first place, she cost $2,200. She had a bill of repairs at Muller's of about $3,000, and her machinery repairs were from $2,500 to $3,000 more. She cost us seven or eight thousand dollars.

Question. Is she owned by you and Coblens?

Answer. Yes, sir.

Question. Is any one else interested in her?

Answer. I had but one-third interest, but afterward we bought out the man who was interested one-third.

Question. The Cecil?

Answer. The Cecil was bought by Mr. Coblens from a man named Rice for $5,000. She was sunk at Fortress Monroe, and has been raised, towed up, and repaired by us at Baltimore.

Question. Is she now in the employment of the government?

Answer. She was only finished on Saturday, if on Saturday.

Question. Is she in the employment of the government?

Answer. She has been repairing for six weeks or two weeks—certainly not.

Question. Have you or Coblens, or you and Coblens jointly, received pay for any vessels whilst they have been undergoing repairs?

Answer. No, sir.

Question. Through what agents were those boats bought?

Answer. Through Mr. A. C. Hall, many of them.

Question. Who were the others bought through?

Answer. All the others not bought through Mr. Hall were bought through me.

Question. What vessels were bought through you?

Answer. I am not aware of any other agent except Mr. Hall.

Question. Was any one of them bought through you and not through the instrumentality of Mr. Hall?

Answer. Yes, sir.

Question. What one?

Answer. The Telegraph.

Question. Is there any other?

Answer. I don't know. I do not recollect any other.

Question. What percentage was paid to Mr. Hall for his?

Answer. Nothing, ir. He got his commission from the selling party, which is usual.

Question. Are you, or is Coblens, paying him any commission on the earnings of these vessels.

Answer. Five per cent.

Question. And no more?

Answer. No more than five per cent.

Question. So long as they continue in the government embloy Hall is entitled to five per cent. of the earnings?

Answer. That is what I understand. That is what I feel bound to carry out with him.

Question. Do you know through what inducement you and Coblens were induced, or Coblens alone, was induced to buy the Cecil?

Answer. Yes.

Question. What was the inducement?

Answer. Mr. Hall advised me to buy her. He had a fuss, a quarrel, with the previous owner, Mr. Rice. This is according to Mr. Rice's statement, not mine, and I do not want to be considered as indorsing it. He had some difficulty, however, with Mr. Rice, the former owner. He came to me and advised me to buy the Cecil. I told Mr. Coblens about it. He went in and had a talk with Mr. Hall, and the conclusion that they came to was to give $5,000 for her. Coblens came back and said, "Go right off, and if Rice will sell the Cecil for $5,000, buy her." I got into the carriage and went down immediately to Mr. Rice's. He is in Old Town. The address came from Mr. Hall, of his residence. I went down and he offered her for $5,000 and would not take less, and agreed to give me until next morning to decide. I introduced him to Mr. Coblens and he and Mr. Coblens concluded the purchase, and Mr. Coblens paid for her.

Question. Do you know of Hall telling Coblens that if he did not buy her he would cause his other charter-parties to be taken away from him?

Answer. No, sir; Hall would not have dared to. I do not know of any such thing. Hall would not have dared to have said such a thing to me, and I think Coblens would have told me if he had said it to him.

Question. Do you know of his declaring that he would have the charter-party to Mr. Rice canceled?

Answer. No, sir; I do not know anything of the kind. Mr. Rice, I understand, says so, but that is very absurd, because that boat was at Fortress Monroe, and it was a charter-party that Hall had no more control over than I had at the time. I understand that Rice says so, however, but I do not believe it is the truth.

Question. Was not Hall a kind of general agent there for the quartermaster?

Answer. Not for the quartermaster, I think. I have never known his agency, as agent for the quartermaster, to be recognized.

Question. Who was he agent for?

Answer. He was more the go-between of Colonel Belger.

Question. Who selected Hall—was it Mr. Tucker or Colonel Belger?

Answer. I think, probably, Mr. Tucker first selected him, and

Colonel Belger, who did not like to take the responsibility, was very glad to get a man who was elected by higher authority. The whole of that connexion has originated in that way; that is my own impression; I do not know; I have no doubt that that is the governing motive with Colonel Belger in reference to Hall.

Question. I understand that there is no general partnership between you and Coblens?

Answer. No, sir.

Question. But in these vessels there is a special partnership?

Answer. There is a defined, distinct interest—yes, sir.

Question. I understand that he has advanced the money with which to buy the vessels?

Answer. Yes, sir.

Question. That you have attended to the business?

Answer. Yes, sir; and I charge a commission on my disbursements.

Question. Do you charge a commission on his half?

Answer. I charge a commission on the vessel's accounts—yes, sir; just as regularly as if the vessel were consigned to me.

Question. Is your commission upon the whole of the receipts of the vessel, including your half, or do you mean, by your commission, the half that you get you receive in lieu of a commission?

Answer. I charge upon the whole amount, and when I settle the account—take the Baltimore for instance, if you please—I charge upon all my disbursements on account of the Baltimore. There are four interests in the Baltimore. I settle that account. If there was $10,000 to the credit of that account, I then put those amounts to the credit of the parties in accordance with their interest. Take the Telegraph as an example. The Telegraph had three interests. Mr. Cahn had one-third, Mr. Coblens one-third, and I one-third. I charged a commission on the whole of her disbursements.

Question. You received one-third of the net?

Answer. Yes, sir, and Coblens one-third, and this man Cahn one-third. He is a nephew of Coblens.

Question. Is he on the boat, running on her?

Answer. No, sir. He is a merchant on North street, Baltimore. He does some business there and has some little money. He paid three thousand dollars cash for his interest.

Question. How came Coblens to form this sort of combination with you, or you with him?

Answer. I have told you already my acquaintance with Coblens commenced with Colonel Belger. I have also told you that Colonel Belger and myself had some difficulty, and I told him that I would have nothing more to do with his office. Mr. Coblens then said he wanted to keep up the business, and he could get along with Colonel Belger; he was too ignorant or too little acquainted with business to attend to such matters himself. That was the beginning of it, and it has greatly extended.

Question. Did you make that arrangement with Coblens in regard to the vessels, as well as in regard to the forage, upon the recommendation of Colonel Belger?

Answer. Please do not understand me that it was upon the recommendation of Colonel Belger that I have done anything, for I have done nothing upon his recommendation.

Question. I thought you said you did in regard to this forage?

Answer. Then I have incorrectly stated it. My relations with Colonel Belger would not justify me in stating that I did anything upon his recommendation. I intended to say that I met Mr. Coblens at his office, and was introduced, or rather named to Coblens, because there was no introduction whatever. Colonel Belger says: "Here is a perfect Rothschild." This was the first I ever saw of him. He was then in the horse business, which I knew nothing about, and of course could not mix myself up with. When Colonel Belger and myself had this quarrel—for it was a quarrel, it was rudeness on his part—I said, "I will not come to your office any more." He had worried me a great deal in providing clerks for him. I had no profit resulting from it at all. The arrangement, if it is an arrangement, was as casual as anything you can imagine. I have been going on with my regular business—doing my regular business. He proposed it. He said he could raise money and put me in funds to do the business. He has so much confidence in me that I think he would be satisfied with anything I would do. He has great confidence in my judgment, and if Mr. Coblens has had any success in the business he is doing, it is very much——

Question. How happens it that Coblens should have had such confidence in you when he did not know you?

Answer. I do not know, sir.

Question. Who recommended you to Coblens?

Answer. Upon my word I don't know. I can only tell you all that occurred. Coblens was sitting in Colonel Belger's office, rather in the back corner, and Belger in his rough way called out, "There is a perfect Rothschild, and there is a man who will have my business," or "who is doing business for me," or something of the kind. But there was no arrangement that was ever proposed—no recommendation of an arrangement.

Question. You went into the business upon that declaration of Belger, that Coblens was to do his business?

Answer. I went into an isolated matter. Coblens says, "I want ten thousand bushels of oats; here is the money to buy it with." I bought it and charged it and put the money to his credit. The next day he would want five thousand bushels of oats or corn. The business has gradually gone on in that way until it resulted in Mr. Hall proposing to Mr. Coblens to buy a steamboat, and Coblens coming to me to know whether he should do it, and saying he would do it provided I would take an interest. From that time up to the present the forage business has been a secondary matter entirely, and of very little importance.

Question. In whose name is the business transacted?

Answer. Under the name of Coblens. I have not collected a dollar from the government, that is to say, I have never collected a cent since the business commenced.

Question. Are the charter-parties in Coblens's name?

Answer. Yes, sir, except where they are transferred.

Question. They were all originally in his name or else assigned to him.

Answer. Yes, sir, except the Lily and Miss Mary, which I told you I had chartered. They are recent charters, just made. The charters were only received on Saturday from Colonel Thomas.

Question. The business is all transacted in Coblens's name?

Answer. Yes, sir, altogether.

Question. Is the bank account kept in his name?

Answer. He keeps his own bank account.

Question. You have nothing to do with it.

Answer. No, sir; nothing whatever. I know nothing whatever about it.

Question. He furnishes all the money?

Answer. He should furnish all the money, but he has not done it.

Question. You get one half of the profits arising from the transaction?

Answer. No, sir; I get my proportion.

Question. You own as much as he does of all these vessels?

Answer. I think I do, except in the case of the Telegraph. I do there since we bought Cahn out.

Question. Then you get the same amount of profit that he does.

Answer. Yes, sir; I get a little more; I charge my commission.

Question. In addition to your share of the profits, do you get your commissions?

Answer. Yes, sir.

Question. Are there or have there been any vessels, to your knowledge, chartered in Baltimore, except through Mr. Hall?

Answer. Indeed I do not know anything about it, sir. I cannot tell you. I think Mr. Hall has done everything. It has been a matter of surprise to me that he should, but I think he has done everything.

Question. Is it understood there that vessels have to be chartered through him?

Answer. I think so; I believe so.

Question. How large a percentage does he charge?

Answer. He charges at least five per cent. for everything, and I have heard he charges more.

Question. What is the highest he has charged?

Answer. I really cannot tell; fifteen per cent., may be; twenty per cent. possibly.

Question. Who has he charged that per cent.?

Answer. I cannot tell you.

Question. Who have you understood have been charged that much by him?

Answer. I cannot tell you that; it is very vague that I have heard even that; I cannot fix it. I have purposely kept aloof; and Hall himself is exceedingly secret in what he does, and then he gives wrong directions in reference to matters that would mislead.

Question. Have you ever paid to any employés in Colonel Belger's office any money or made them any present?

Answer. I have had no occasion to do so, sir; I have had no intercourse with them at all.

Question. That is not an answer to my question.

Answer. I have not, sir.

Question. How came Mr. McFarlane to be interested in the Baltimore?

Answer. Mr. McFarlane made an arrangement with Mr. Coblens, by which he was to buy one-fourth of the Baltimore; what the arrangement was, I don't know. I only know this, that Mr. McFarlane brought a certificate down and handed it to Coblens, and Coblens brought it in to me to look at, and I saw it. It was a twelve months certificate for $5,000 of the government. Mr. Coblens told me that he got the balance in money.

Question. Did McFarlane put that certificate in as part of the purchase money?

Answer. Mr. Coblens told me so, sir; and I have no doubt he did. I am sure he did.

Question. Mr. McFarlane was one of the clerks in Colonel Belger's office?

Answer. Yes, sir.

Question. Do you know of any other clerk or employé of the government being interested in any of these boats, directly or indirectly?

Answer. I do not, sir; I do not think any of them are, sir. In any of these boats of ours, I am sure they are not.

Question. Do you know of their being interested in any other boats or vessels of any description?

Answer. No, sir; I know nothing whatever of the kind. I don't think any of them there are able to do any such thing.

Question. Who is the Colonel Bell who you say owns a part of the Baltimore?

Answer. I cannot tell you, except that he lives at Fortress Monroe. I have seen him but twice.

Question. What does he do at Fortress Monroe?

Answer. I do not know.

Question. Of what place is he a native?

Answer. I do not know. I know he has lived in California, and he seems to be a very gentlemanly, decent man. I have seen him twice at my own counting-room. Mr. Coblens brought him there. I think I may have seen him three times. I know nothing whatever about the man. Captain Hunt's letter said that Mr. Coblens knew all about Colonel Bell, and Coblens seems to know all about him.

Question. How did Coblens indicate that he knew all about him?

Answer. He went off and had a bill of sale made to him, and asked me to send it to Captain Hunt, which I did. That would be conclusive to my mind that he was disposed to trust him.

Question. Did he say that he knew all about him?

Answer. No, sir; I do not think he did.

Question. Did he say that he knew who he was?

Answer. Yes, sir; he said that he knew who he was. I think he said that Captain Talmadge introduced Colonel Bell to him at Fortress Monroe. He stays a great deal at Fortress Monroe.

Question. Has that interest ever been paid for?

Answer. No, sir; not a cent.

Question. Has the boat earned it for him?

Answer. About, sir. I can't tell you; the account has not been settled up. It would not vary much either way, if she has not earned it now; I think she has.

Question. What have been Coblens's profits on these boat transactions?

Answer. Well, sir, I have made an estimate in order to arrive at his profits; as I told you, the actual profit upon forage is less than $6,000. That is determined; it is less than $6,000. As to his profits on his vessels, all his vessels are worth, by a liberal estimate of value, $54,000; that is leaving out the Cecil. Mr. Coblens's profits will be from $25,000 to $30,000 if that valuation is obtained; if it is exceeded, it will be more; but under no conceivable circumstances has Mr. Coblens made over forty thousand dollars.

Question. What per cent. did you charge Coblens?

Answer. I charge him two and a half per cent. in some cases upon disbursements, and five per cent. upon receipts—just the Board of Trade regulation. It is two and a half per cent. upon disbursements when I charge upon them, and five per cent. upon receipts. That was the motive of my own mind. I wanted to keep up my commission business. My business was destroyed, or very much of it, by the war.

Question. How much does your percentage amount to—your commissions on the transaction of Coblens's business?

Answer. Not exceeding ten thousand dollars. I speak in round numbers. I do not know, however. I would have to look particularly.

Question. That is the amount of your commissions?

Answer. Yes, sir. I say ten thousand dollars. It would not vary much from that. It may be a little less or more. Coblens's profits cannot, under any circumstances, exceed $40,000, provided those prices are realized for the boats.

Question. That depends on how long the boats continue in service?

Answer. Yes, sir.

Question. He has realized $40,000 already?

Answer. He will realize $40,000 if the valuation which I have put upon the boats is obtained. I do not say that he has. I think about $30,000; but it cannot exceed $40,000 under any circumstances. I don't think it will exceed $30,000.

Question. You say you have made a calculation. What are the daily receipts now from those boats owned by you together?

Answer. $580—say $560, as the Cecil is out; I think probably not quite so much, but not exceeding that. I do not include in that $560 the interest that these men, McFarlane and Bell and the captain, have in these vessels. The receipts would be to that extent larger. I speak of the money that Coblens himself would get.

Question. You do not include in that the boats that are for the present moment withdrawn from the service?

Answer. No, sir.

Question. You cannot state who it was that assisted in bringing you and Coblens together, so as to form this partnership?

Answer. Yes, sir, I can; I have done so; I say he was brought to my notice by Colonel Belger.

Question. By no one else?

Answer. No, sir.

Question. And only at the interview of which you have spoken?

Answer. That is all, sir; and then I explained that I had positively declined having anything to do with Colonel Belger; I could not deal with him; I do not see how any gentleman can; that is the fact about it; I cannot see how any one can have intercourse with him.

Question. Is any person to have, by any contract or agreement, express or implied, any part of the profits that you are to receive from these transactions with Coblens?

Answer. Not a cent, sir.

Question. Are you under any obligation, express or implied, legal, equitable, or honorable, to pay any person any portion of these profits?

Answer. I am not, sir; such a thing has never been intimated to me.

Question. Has Mr. Coblens ever expressed any dissatisfaction with the arrangement that he has made with you?

Answer. No, sir; on the contrary, I think he has congratulated himself very often upon it; I think he is very much pleased with it; if he has complained, I am not aware of it; he always had it in his power to terminate it, because everything was in his own hands; he could have terminated it any day.

Question. Does Mr. Coblens keep a bookkeeper?

Answer. No, sir; I do not know that he does; if he does I am not aware of it.

Question. He cannot read or write himself.

Answer. Yes, sir, he writes German very well.

Question. Can he write English?

Answer. No, sir, I don't think he can; he can neither read nor write it. He can write his name very well. He knows figures very well; he has wonderful cleverness in figures, and his whole soul is wrapped up in money; he is the fondest man of money that I ever knew, and the kindest hearted man.

JOHN F. PICKRELL.

WASHINGTON, *Monday, January* 12, 1863.

Captain HENRY C. HODGES, being duly sworn, testified as follows:

Examined by the chairman.

Question. What is your rank and position?

Answer. Assistant quartermaster in the United States army.

Question. How long have you been in the service?

Answer. I entered West Point in 1847. I graduated in 1851. I have been in the army over eleven years; twelve years next July as a commissioned officer.

Question. How long have you been in the quartermaster's department?

Answer. I was appointed assistant quartermaster May 13, 1861.

Question. What connexion have you had with chartering transports for the United States army; and when did your connexion with the transportation business commence?

Answer. On the 20th day of February, 1862, I received from the quartermaster general of the army of the United States, General Meigs, the following telegraphic despatch:

"Report in person at 410 Walnut street, Philadelphia, to Assistant Secretary John Tucker, on Friday morning, without fail."

Question. Did you report yourself in obedience to that order?

Answer. I did.

Question. How long did you remain in Philadelphia?

Answer. We remained in Philadelphia Friday, Saturday, Sunday, and Monday. We either left Monday night or Tuesday night.

Question. Did you charter any vessels there at that time?

Answer. Yes, sir. There were a great many vessels taken up there.

Question. For what expedition?

Answer. For the expedition of General McClellan.

Question. Sailing vessels?

Answer. Yes, sir; and steamers and some barges.

Question. Through whom were those mostly chartered?

Answer. They were chartered, I think, some through Captain Loper, some through Mr. Thomas Clyde, some through Mr. Flanagan, some through Mr. Bishop, some through Tyler, Stone & Co.; they chartered a couple of schooners.

Question. How many did you charter from Tyler, Stone & Co.?

Answer. I think only two schooners.

Question. How many did you charter through Thomas Clyde, jr.?

Answer. Six propellers from Mr. Thomas Clyde. I don't think it is "jr." I do not have it so on my memorandum.

Question. How many did you charter through Bishop & Co.?

Answer. Those were mostly schooners. I don't think there were any steamers among them at all.

Question. How many through Richard F. Loper?

Answer. They were originally chartered in the name of William M. Baird, treasurer, and the charter-parties were made payable to him, (Loper.) He (Baird) was treasurer of the company. There were six originally, but he withdrew two. He could not get them out of some place that they were in. So there were four—the Queen, the Novelty, the Sarah, the Tacony.

Question. What connexion had Captain Loper with chartering the vessels by Thomas Clyde, jr., & Co.?

Answer. I don't think he had any. I did not know of his having any.

Question. Do you know of Captain Loper receiving a commission from Thomas Clyde?

Answer. No, sir. I did not know of any commission being paid to Mr. Loper by anybody in the world.

Question. What other vessels have you chartered from Captain Loper besides those?

Answer. I think those are the only ones.

Question. What other vessels have you chartered from Captain Loper at any time since then, or upon his recommendation, besides those you have mentioned?

Answer. Captain Loper was with Mr. Tucker all the time, and he inspected the steamers in New York.

Question. For what expedition was this?

Answer. This same expedition—McClellan's. He went on to New York with us. I cannot tell you the names exactly. He must have looked at almost all the vessels, but we took in New York the steamers mostly from the owners of the vessels, as far as I know. They were submitted by the owners and said to carry so and so.

Question. Were Mr. Tucker and you present in New York?

Answer. Mr. Tucker carried on the business in my office in New York city.

Question. He took Captain Loper on with him?

Answer. Yes, sir; Captain Loper went on with him.

Question. Captain Loper examined the vessels?

Answer. Yes, sir; he inspected the vessels.

Question. Did he personally inspect them?

Answer. Yes, sir; I think he did—a great many of them.

Question. He recommended them to Mr. Tucker for rejection or approval?

Answer. He would say whether they came up to what the owners said they would do or not.

Question. Did he reject any?

Answer. Yes, sir; I think there were several rejected.

Question. Do you know what ones?

Answer. No, sir; I cannot tell all the names now, it is so long ago. We had the bids of almost every person for this expedition, in answer to the advertisement of the Secretary of War. There was an almost innumerable quantity of bids, and they were selected from. It was so long ago that I can't remember the names. I know there were rejections, however.

Question. Who paid Captain Loper for his services?

Answer. I do not think he received any pay. My impression is that he did not receive any.

Question. It was a mere gratuity on his part?

Answer. So I understood.

Question. He was acting from patriotism?

Answer. Yes, sir; I suppose so.

Question. He said so?

Answer. Yes, sir; he told me he got nothing for it, and he did not want anything. He was willing to give his services to the government.

Question. Did he say that all he had done, in connexion with the charter and purchase of vessels, was done gratuitously for government?

Answer. I so understood him.

Question. Was he in the habit of making declarations of that sort frequently—of his pure patriotism?

Answer. I don't know about that.

Question. In connexion with his services to the government?

Answer. I don't know about that. I have heard him more than once say that.

Question. Was there any vessel chartered in New York except upon the recommendation of Captain Loper?

Answer. Yes, sir; almost all of them—a great many of them.

Question. Without his recommendation?

Answer. Yes, sir; schooners.

Question. Any steamers?

Answer. Yes, sir; I do not think he inspected all of them; and I think that men who came there like Mr. Drew or Captain Acker, who represented their boats to be so and so, were regarded as men of soundness and truth, who would not state anything that was not so.

Question. Do you know of anybody chartering these steamers at that time except through Mr. Drew, and Mr. Acker, and Mr. Powers, and that North River Company, and through the recommendation of Captain Loper?

Answer. I think there were; but I will have to refer to this book which I have here. Mr. Richardson chartered the steamer Massachusetts in New York. I cannot say that she was chartered on the recommendation of any of those gentlemen you name. Here is Mr. Thomas Collyer, an old steamboat man, since dead. He chartered the May Queen and the Cinderella.

Question. Where is she now?

Answer. I think she is discharged.

Question. Who chartered her—you?

Answer. Yes, sir.

Question. How much did you pay for her?

Answer. Three hundred dollars a day, I think.

Question. For how long a time was she chartered?

Answer. Thirty days or longer.

Question. Did you charter the propeller George Washington?

Answer. I think not. No, sir.

Question. Then there were two vessels chartered there—the Massachusetts and the May Queen—that were not chartered on the recommendation of either of these parties?

Answer. Yes, sir; and I think more. The J. M. Lewis was chartered by Wm. Goodrich. I do not know that she was chartered upon the recommendation of any of these gentlemen.

Question. Do you know that she was not?

Answer. No, sir.

Question. What vessels were chartered upon the recommendation of Captain Loper?

Answer. That I cannot tell.

Question. How many do you think were chartered upon his recommendation?

Answer. Well, I cannot give the number.

Question. Did you charter the Metamora?

Answer. Yes, sir.

Question. Upon whose recommendation?

Answer. I chartered her by the direction of Mr. Tucker, Assistant Secretary of War.

Question. Did anybody recommend her except Mr. Tucker?

Answer. I did not know whether they did or not.

Question. Was she inspected by Captain Loper?

Answer. No, sir. She was in Washington at the time. She was already taken up by the quartermaster's department.

Question. Do you know who first took her up?

Answer. I cannot say what quartermaster. She was taken up here in Washington. I cannot say by whom.

Question. Do you know to whom she belonged?

Answer. I think she belongs, or a portion of her, to Captain Acker. I so understood.

Question. Do you know who owns the balance of her?

Answer. No, sir.

Question. Did you ever inspect her?

Answer. No, sir. I never saw the boat in my life.

Question. Did you ever have her inspected?

Answer. No. sir.

Question. You say you were directed by John Tucker to charter her?

Answer. Yes, sir.

Question. Did he fix the price?

Answer. Yes, sir.

Question. What was the price?

Answer. Four hundred and fifty dollars a day.

Question. Was she chartered by you or Mr. Tucker?

Answer. By me.

Question. Did you sign all the charter-parties of all the vessels chartered at that time?

Answer. Yes, sir.

Question. Did you charter the Baltimore?

Answer. Yes, sir.

Question. Of whom?

Answer. She was sent in on a list by A. C. Hall, I think.

Question. Who directed you to charter her?

Answer. Mr. Tucker.

Question. Did you charter the Patapsco?

Answer. I think she is on this list.

Question. Please read your list.

Answer. I will read you the list of side-wheel steamers: The Cecil; the Columbia; the Kent; the Pioneer; the Lioness; the Portsmouth; the Pacific; the Georgia; the Wilson Small; the Juniata; the Atlantic; the Pendulum; the Ariel; the John A. Warner; the Nellie Baker; the Emperor; the Argo; the Kennebec; the Massachusetts; the Cinderella, *alias* May Queen; the West End; the J. M. Lewis; the Nantucket; the C. Vanderbilt; the Commodore; the Achilles; the T. V. Arrowsmith; the State of Maine; the Canonicus; the Saturn; the Nauchon; the Mystic; the North America; the Catskill; the Hero; the Edwin Lewis; the Flushing; the Herald; the John Farron; the Bushwick; the Jenny Lind; the Knickerbocker; the John Brooks; the Elm City; the South America; the Donelson; the Daniel Webster. The Daniel Webster is a steamer that I know was not taken on the recommendation of any of those gentlemen.

Question. Were those that you have already recited taken by the direction of John Tucker?

Answer. Yes, sir; all of them. Every vessel was so taken.

Question. I understand that you were the mere clerical agent through whom these affairs were transacted?

Answer. Yes, sir; and I also was consulted and conferred with by Mr. Tucker.

Question. You were there to give official sanction to the charter-party?

Answer. Yes, sir. I can show you my instructions.

Question. Did you charter the Haswell?

Answer. No, sir. She was sent to North Carolina.

Question. Did you charter the Fairy Queen?

Answer. No, sir.

Question. The James Murray?

Answer. No, sir.

Question. The Telegraph?

Answer. No, sir. My instructions, to which I alluded, were as follows:

"WAR DEPARTMENT,
"*Washington City, D. C., February* 19, 1862.

"Captain Hodges, assistant quartermaster, will proceed to Philadelphia and meet the Assistant Secretary of War, Mr. John Tucker, and, under his advice, will charter such vessels as may be by him selected for service.

"The vessels chartered to be ordered to proceed to Annapolis, fully provisioned, and with water for their full capacity of horses or pas-

sengers for ten days, and report for orders to Colonel Ingalls, or his representative.

"Rates of charter for schooners not to exceed eleven cents per ton (custom-house measurement) per day. Charters to be for thirty days, with privilege of extension.

"For propellers and light-draught steamers it is not possible to fix a rate. The offers received under the advertisement of the War Department vary from fifty cents to one dollar per ton per day. They should be provisioned and watered for their full complement of passengers or horses, according to the service for which they may be intended, for ten days. Charters to be for thirty days, with privilege of extension.

"All expenses, except coal, to be borne by the owners, excepting, also, port charges, after leaving the port at which chartered.

"The war risk will be borne by the United States, the marine risk by the owners, until, under orders, they are south of Cape Henry, the southern cape of Chesapeake bay, after which the marine risk will be borne by the United States until they reach that latitude on their return.

"Captain Hodges will report daily to the quartermaster general the progress made in this work. It is of the utmost importance that the vessels be at Annapolis at the earliest possible moment.

"The instructions of Assistant Secretary of War, Mr. Tucker, in this business, will be obeyed and respected as though from the quarmaster general.

"M. C. MEIGS,
"*Quartermaster General.*"

Question. You had no discretion, then, as to the character of the vessel or the price at which she was to be furnished, other than the instructions that might be furnished to you by Mr. John Tucker, the Assistant Secretary of War?

Answer. No, sir; I considered myself entirely under his orders. He often consulted with me, and did nothing, that I knw of, without letting me know what it was; but then he was the superior.

Question. And all the vessels chartered at that time for that expedition were chartered under his direction?

Answer. Yes, sir; by his express authority.

Question. As to price?

Answer. Prices and everything were fixed by him.

Question. And the vessels were selected by him?

Answer. Yes, sir.

Question. How happened Mr. John Tucker to take Captain Loper with him from Philadelphia to examine these vessels at New York?

Answer. I do not know. I suppose he had confidence in Captain Loper, he being an old shipmaster, and he had been an old transportation agent of the quartermaster's department during the Mexican war, when he was under the orders of General Jesup. He had charge of the business in Philadelphia. I suppose it was his long experience. That is the only reason that I know of.

Question. Can you tell which of the vessels chartered in New York were chartered upon the recommendation and advice of Captain Loper?

Answer. No, sir; I don't remember any particular ones.

Question. Can you tell which were chartered upon the recommendation and advice of Captain Acker?

Answer. I don't think any were taken upon Captain Acker's recommendation, except those that he chartered himself.

Question. What did he charter himself?

Answer. He chartered the Metamora.

Qustion. Did he not charter the John Brooks?

Answer. No, sir; I think not.

Question. Who did?

Answer. Mr. Fitz Smith.

Question. What was the John Brooks chartered at?

Answer. At $800 a day. Mr. Fitz Smith was president. His address was Norwich, Connecticut. I don't think that Captain Acker had anything to do with her.

Question. Were any others chartered by him except the Metamora?

Answer. Not at that time. Subsequently he did.

Question. Where have you been stationed during the past year?

Answer. At New York city.

Question. All the time?

Answer. No, sir; from about the 14th or 15th of September.

Question. Had you anything to do with getting up the Butler expedition?

Answer. No, sir. I furnished none whatever for it.

Question. Any for the Burnside expedition?

Answer. No, sir.

Question. Any for the Port Royal expedition?

Answer. No, sir.

Question. Have you chartered any vessels since the McClellan expedition?

Answer. I have since it started, but it was for the same expedition.

Question. Have you chartered any vessels during the last four months?

Answer. I think not, sir. I think the last vessels I chartered were in August for this same expedition, to get them away from the Peninsula.

Question. Do you know who chartered the George Washington?

Answer. No, sir.

Question. Did you ever see the May Queen or Cinderella?

Answer. I would not be certain.

Question. Who recommended you to charter her?

Answer. Mr. Thomas Collyer. I think he came to the office himself, or had her offered. He had a proposal in, I think, sir. She was offered to the War Department, through a regular proposal, in answer to an advertisement.

Question. Who examined her?

Answer. I don't know.

Question. Did Mr. Tucker direct you to charter her?

Answer. Yes, sir.

Question. You had nothing whatever to do with the Banks expedition?

Answer. No, sir; I did not charter a vessel for it.

Question. Have you been stationed at any time during the last twelve months at Baltimore?

Answer. I have not. I passed through Baltimore last year at the time this expedition first started.

Question. How long did you remain at Baltimore at that time?

Answer. About twenty-four hours.

Question. Who ordered you to go to Baltimore at that time?

Answer. Mr. Tucker.

Question. Why were you taken to Baltimore to complete those charter-parties?

Answer. They had to be completed there because the parties from whom they were chartered lived there.

Question. Why were they not taken through Colonel Belger, the regular quartermaster at that city?

Answer. Because I was put on duty with Mr. Tucker to charter these vessels. They were all for the same expedition. I suppose that was the reason.

Question. Were there any vessels chartered for that expedition, except through you and Mr. Tucker?

Answer. None that I know of.

Question. Were there none chartered at Baltimore other than those signed by you for this expedition?

Answer. I can't say that there were. I do not know that there were. There may have been.

Question. Were any chartered in New York or Boston for this expedition other than through you?

Answer. Not to my knowledge.

Question. What became of the bids that you say were presented in New York and Philadelphia?

Answer. I am not certain whether I have them in my possession or whether I returned them to the Assistant Secretary of War; either one or the other.

Question. Can you produce them, if you have them in your possession?

Answer. I can.

Question. Do you know of any person, directly or indirectly, receiving any pay, or the promise of any pay, or anything of value, for securing charter-parties?

Answer. I do not, sir.

Question. Do you know what consideration Captain Loper received?

Answer. I do not. I did not know that he received any at all.

Question. What did he represent in regard to his services?

Answer. As far as he was connected with us—Mr. Tucker and myself—he said he got nothing for it; that he was willing to give his

services. If he could be of any use to the government, he was willing to do so. Mr. Tucker told him he was to get no pay, but wanted his services. Captain Loper willingly agreed to this.

Question. Through what agent was the Burnside expedition got up and the vessels chartered?

Answer. That I do not know. I think Captain Loper had a good deal to do with it. I have heard him say so.

Question. Who signed the charter-parties as agent of the quartermaster?

Answer. Lieutenant Colonel Biggs was quartermaster of that expedition. Whether he made the charters or not I do not know.

Question. Where did you send the Massachusetts that you chartered—Hampton Roads?

Answer. My impression is that they were all sent to Annapolis until the blockade was raised, and then they were all sent here. About the time the chartering was completed I got a telegraphic despatch—

Question. She was the one that belonged to Mr. Richardson. You say you think she was not inspected by anybody.

Answer. I do not know that she was inspected, and I do not know that she was not. My impression is that she was not taken on the recommendation of Captain Loper.

Question. There was no rule established by Mr. Tucker, then, in regard to inspection?

Answer. There might have been and I not know it.

Question. You know of none?

Answer. No, sir.

Question. There was no requirement on his part that a vessel should be inspected at all?

Answer. Yes, sir; I think it was understood that all vessels should be inspected. There was a man there by the name of Captain How, who was employed there as inspector.

Question. Where does Captain How reside?

Answer. He did reside in New York city. He was a ship captain—an old ship captain.

Question. Who employed him?

Answer. Mr. Tucker. I think his name is John How. I think he resides in New York. There was a Mr. Charles H. Haswell, an engineer, who examined the engines of boats.

Question. Was he employed by Mr. Tucker?

Answer. Yes, sir.

Question. Did he examine them all?

Answer. That I do not know.

Question. Did he report in writing or verbally?

Answer. Verbally, I think. I saw no writing of his.

Question. Or by anybody?

Answer. No, sir.

Question. Did Mr. Haswell examine the vessels that Captain Loper inspected?

Answer. I think he did.

Question. Did Captain How?

Answer. That I do not know.

Question. Did Mr. Haswell or Captain How inspect the vessels that Mr. Powers, or Mr. Drew, or Captain Acker presented?

Answer. I do not know. The Metamora was here, you know, at Washington, and not in New York at all. She was well known, I think.

Question. She was not inspected at all, then?

Answer. Not in New York.

Question. Did you ever know anything about the steamer Highland Light?

Answer. That name is familiar to me. I do not think we took her. I have not got her down in my list of side-wheel steamers.

Question. Who chartered her?

Answer. I do not know who.

Question. Why did Mr. Tucker instruct you to charter the steamer Metamora?

Answer. Because she was a very useful boat, and they wanted her for the expedition.

Question. Did he consider her cheap?

Answer. Yes, sir.

Question. Did you?

Answer. I did, from the reports made of the boat.

Question. By whom were the reports made?

Answer. I heard her talked over in the office there by Captain Acker and Captain Loper and Captain Powers and Mr. Tucker?

Question. When was the charter-party of the Metamora dated?

Answer. On the first day of March.

Question. Was her charter-party dated on the 1st day of March?

Answer. I think it was, at the time I chartered her.

Question. Are you confident of that?

Answer. I am pretty certain; but you can get a copy of the charter-party in the War Department, in the quartermaster general's office. I turned over all these charters to General Van Vliet when he relieved me; but I think my book, which I have here, is right about that. She was to be ready for service on the first of March.

Question. Was she ready on the first of March?

Answer. Yes, sir; as far as I know, she was. I think she was reported for duty on the first of March.

Question. Where did she report for duty?

Answer. I think it was in this city?

Question. Was the agreement that she should report for duty here or at Annapolis?

Answer. That I do not know.

Question. State whether the agreement in the charter-party was not that the Metamora should report for duty at Annapolis on the sixth of March, with a certain amount of water on board.

Answer. That I do not know. Not to my recollection, I should say.

Question. Do you know anything about her being repaired?

Answer. No, sir.

Question. Did you ever hear of her having been repaired?

Answer. I have got a list of vessels, in this book, that they had. The Metamora lost one day in repairing, according to this. I do not know the exact date. This is the list that was furnished me by Captain Ferguson, assistant quartermaster at Alexandria.

Question. During the time she was chartered she lost one day?

Answer. Only one day, as far as this shows. She may have lost more. I would not be certain.

Question. Was that day deducted from her pay?

Answer. Yes, sir.

Question. Do you know about the government paying for the repairs that were put upon her?

Answer. No, sir.

Question. Did you ever hear of her lying and being repaired at Baltimore?

Answer. Well, I would not be certain whether it was her or the Long Branch. It seems to me that there was another boat of Captain Acker's. It has passed out of my memory. I cannot tell until I refer to my papers.

Question. Do you not know of her having been taken to Baltimore to be repaired?

Answer. It seems to me that I do remember something about it now. I would not say it was the Metamora. There was a boat of Captain Acker's taken up there for repairs. I think it was the Metamora, because I remember a conversation with Captain Acker, (in which he said she had been running so much across the bay to Cherrystone, where the telegraph station was then, the telegraph was not there—Fortress Monroe—then, and she had to make two or three trips a day there,) and the service was so hard, that she had to be repaired. I do not know what the facts were, but I think there is a communication about it on file from the Assistant Secretary of War, in which he gives the approval of the quartermaster general in regard to it.

Question. How long was she in Baltimore undergoing repairs?

Answer. I do not know.

Question. While she was there was her pay deducted from her charter-party?

Answer. I do not know.

Question. Do you know the value of the repairs put upon her?

Answer. I cannot tell without the papers.

Question. Why was an exception made in the case of the Metamora, by Mr. Tucker, by which he directed the government to pay for the repairs put upon her?

Answer. I cannot tell without the papers.

Question. Do you know a man named Danforth in New York city?

Answer. Yes, sir.

Question. What is his first name?

Answer. I think his name is William Danforth. I think his rooms are on Ninth street.

Question. What does he do?

Answer. I don't think he does anything. I have heard him say he owns a dock, at which some of the European steamers land. I think they pay him so much for the use of that dock, and I reckon he lives on that, so far as I know. I never saw the man until I saw him then. I think I was introduced to him by Mr. Tucker. I am not positive.

Question. When?

Answer. At the time he (Mr. Tucker) was there.

Question. What had Danforth to do with chartering these ships?

Answer. Not anything that I know of.

Question. What profit has he derived from the charter-parties?

Answer. Not any to my knowledge. I have heard Captain Acker say he asked for a commission, and he refused to give it to him. Why he asked it, I do not know. He had no ground to ask it so far as I know.

Question. Do you know of his levying contributions upon anybody else?

Answer. No, sir.

Question. Do you know of Mr. Tucker introducing him to anybody else?

Answer. No, sir; Mr. Tucker introduced him to me as an old friend of that family, as he would introduce him to anybody.

Question. Was Mr. Danforth there when you and Mr. Tucker were chartering these vessels?

Answer. Yes, sir; he was in my office a good deal.

Question. He and Mr. Tucker were the principal men?

Answer. He was not the principal man.

Question. Was he not about all the time?

Answer. He was there, but I never supposed he was there on any business relations.

Question. Did you ever have any conversation with Captain Acker about Mr. Danforth's demand for commission?

Answer. Yes, sir; Captain Acker said he had asked him for a commission.

Question. Commission for what?

Answer. For chartering his boat.

Question. What other advantage did he say that Captain Acker and the owners of the Metamora had derived through him?

Answer. That is the only thing that I know about.

Question. How much did Danforth ask?

Answer. Captain Acker did not tell me.

Question. Did he not say it was five thousand dollars?

Answer. No, sir.

Question. Did he not say that he compromised with Danforth by paying him $3,100?

Answer. No, sir; I told him he ought not to pay him a cent. I understood that he had not. I said, "You are foolish, if you do; he

has no more right to charge you five per cent. than I have, or any other per cent."

Question. Do you know a man named Captain Schultz?

Answer. No, sir.

Question. Do you know of his deriving any benefit from the charter of this Metamora?

Answer. I never heard of Captain Schultz until last night, coming from Philadelphia. General Van Vleit and I left on the early train at six o'clock. We did not know that the through Washington train did not leave until half-past seven, and we stopped at Philadelphia, for supper. While there, a man came up and spoke to General Van Vliet. When we came out, I asked who it was, and he said it was Captain Schultz. I do not know anything more than that about him, and that was merely accidental.

Question. Did you ever hear about Mr. Danforth levying contributions upon anybody else?

Answer. No, sir

Question. How old a man is Danforth?

Answer. He is a man, I should think, of fifty, or about that. He seemed to be an old acquaintance of the Assistant Secretary of War. I have often heard him say he was an old friend of Mr. Tucker, and of his family. His family and theirs used to be very intimate, he said.

Question. Is he a relative?

Answer. Not to my knowledge.

Question. Did not Captain Acker say he gave Danforth $3,100 to let him off?

Answer. I do not know whether he did or not—*i. e.*, pay him $3,100. He (Captain Acker) did not tell me so, if he did.

Question. Did not Captain Acker say that he asked this percentage on account of his getting favorable terms from Mr. Tucker about repairing of the vessel?

Answer. No, sir; he never told me that. I expressed my astonishment when he said to me that he wanted a commission. I said, "By what right does he ask commission of you? He had nothing to do with chartering the boat. I might just as well ask you for a commission myself." That is the way I expressed myself to Captain Acker.

Question. Do you know of any person in the employment of the government, either directly or indirectly, receiving any money or valuable thing, or the promise of any money or valuable thing, for securing, or aiding in securing, a charter-party?

Answer. I do not, sir. I never heard any such proposition made, and I have never heard of its being made.

Question. Did you say that most of the vessels for the Burnside expedition were secured through Captain Loper?

Answer. Oh! no, sir. I do not say that. I do not know. I do not know anything about that expedition. I have heard Captain Loper say that he was with the expedition until it went. I do not know whether he had anything to do with securing the vessels or not. I do not know who chartered those vessels. I know Colonel Biggs was the quartermaster of that expedition; whether he chartered the vessels or not, I do not know.

Question. Did you ever charter any vessels from Captain Whilldin, of Philadelphia?

Answer. There is a schooner by the name of the W. G. Whilldin, that I think was chartered. His name does not appear in the list of side-wheel steamers or propellers.

Question. Did you charter any from Mr. Flanagan?

Answer. Yes, sir.

Question. What vessels?

Answer. The Atlantic and the Pendulum—those are side-wheel boats—and the Robert Morris.

Question. How came you to charter them?

Answer. He came there with them to the office.

Question. Did anybody come with him?

Answer. No, sir; not to my knowledge.

Question. Were they chartered directly from him?

Answer. Yes, sir.

Question. Do you know of anybody receiving any percentage upon them?

Answer. No, sir.

Question. You did not charter them through the instrumentality or advice of Captain Loper?

Answer. No, sir. Mr. Flanagan came to Mr. Tucker himself.

Question. Did you charter a boat called the Pilot Boy?

Answer. The Pilot, not the Pilot Boy.

Question. Whom did you charter her of?

Answer. A. C. Hall. Two other boats were chartered of Mr. Flanagan—the Commodore Foote and the Constitution, chartered June 24.

Question. You did not charter the Pilot Boy?

Answer. No, sir.

Question. Have you ever chartered any vessels in Baltimore except through Mr. A. C. Hall?

Answer. I think so, sir; I am not certain. Friend, Ricketts & Co. chartered a boat—the Baltimore.

Question. Was she chartered to you?

Answer. She was chartered to Mr. Tucker, I think. She is down, I think, as chartered to this name, (Friend, Ricketts & Co.)

Question. Do you know anything of the transfer of the Baltimore to any other parties?

Answer. No, sir; I do not. The Diamond State was transferred, I think. I do not think the Baltimore was. If she was, it was subsequent to my knowledge of her. Anthony Reybold, also of Baltimore, chartered a boat—the Diamond State. That boat, I think, was transferred.

Question. Do you know whether Mr. Reybold's boat was chartered directly to the government or through an agent?

Answer. It is my impression that they were chartered directly from Mr. Reybold.

Question. Do you know anything that Captain Loper did in connexion with that to entitle him to any per cent.?

Answer. I do not.

Question. Do you know of Captain Loper doing anything in connexion with Mr. Flanagan to entitle him to any per cent.?

Answer. No, sir.

Question. Did you have any transactions with William M. Baird?

Answer. No, sir. I think Mr. Baird signed the charter-parties for the company of which Captain Loper is president, and I think the charter-parties were payable to Captain Loper. I think Mr. Baird signed as treasurer of the company.

Question. Do you know anything that Captain Loper did in connexion with the chartering of these vessels to government that would entitle him to receive anything from the parties from whom they were chartered, as commission?

Answer. I do not.

Question. Did you suppose, at the time he was acting with you and Mr. Tucker at Philadelphia, and at the time he went with you and Mr. Tucker to New York, and acted with you there, that he was receiving any commission?

Answer. I did not. I supposed, on the contrary, that he was not receiving any pay at all. He did not accompany us in the train. He went the same day, but before we did.

Question. How long did he remain in New York at that time?

Answer. He remained there most of the time we were there.

Question. How long were you there?

Answer. It took us in New York about a fortnight, I think, to finish up—probably from Wednesday of one week until Saturday night of the next week. Then I went on to Philadelphia and completed the charter-parties there, and went on to Baltimore and completed the charter-parties there. I had to complete the official papers.

HENRY C. HODGES,
Captain and Assistant Quartermaster, United States Army.

WASHINGTON, *Friday, January* 30, 1863.

Captain HENRY C. HODGES, recalled, testified further, as follows:

You asked me, when I was before this committee, in reference to the steamer Metamora being repaired at Baltimore. Captain Acker presented me a certificate from Captain Tallmadge, assistant quartermaster of the army at Fort Monroe, of services by this boat. In this certificate Captain Tallmadge recommended that certain days, during which the boat had been undergoing repairs, should not be deducted from the pay of the boat, on account of service she had performed—extra service. I told Captain Acker it would be impossible for me to do so; I had no authority for so doing. He then requested me to write to the Assistant Secretary of War, Mr. Tucker. I did so. I think I wrote two letters in reference to it. At last I got a reply from the Assistant Secretary of War, who said that he

had consulted with the quartermaster general and presented the facts to him, and that the quartermaster general concurred with him (the Assistant Secretary of War) as to the propriety of paying for this boat, and I ordered me to pay for the time during which she underwent repairs, which I did.

HENRY C. HODGES.

Lieutenant Colonel and Quartermaster, United States Army.

WASHINGTON, *Monday, January* 12, 1863.

JOHN ROSE, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence, if you please.

Answer. Baltimore.

Question. Your place of business.

Answer. Corner of Pratt street and O'Donnell's wharf.

Question. Your occupation.

Answer. Shipping merchant.

Question. How long have you been engaged in it?

Answer. Twenty-one years.

Question. Have you furnished any transportation to the United States government within the last eighteen months?

Answer. We have chartered them. Two of them were in for three months, one for six and a half months, and the other is in still.

Question. Are those all you have chartered?

Answer. Yes, sir.

Question. For what were they employed?

Answer. Three of them were used to move McClellan's army down to the peninsula—for horses and mules, I believe. They went up to Pamunkey.

Question. Were they sailing vessels?

Answer. Yes, sir; all of them.

Question. Through what broker did you charter them?

Answer. Mr. A. C. Hall.

Question. What percentage did you pay him?

Answer. Five per cent.

Question. How long has A. C. Hall resided in Baltimore?

Answer. Eight or nine years. I think he came there as agent for Cromwell & Co. of Scotland.

Question. How came you to apply to A. C. Hall?

Answer. The captains wanted me to charter them to the government, and I was told by others that I could not succeed with Colonel Belger; and I went to Mr. Hall.

Question. Did you apply to Colonel Belger?

Answer. No, sir.

Question. Did you ever apply to any government agent to charter the vessels?

Answer. No, sir; because I was told that I could not do it.

Question. What is the usual rate charged by brokers?

Answer. We have generally charged 2½ per cent.

Question. Is that customary in New York?

Answer. Yes, sir; I believe so. Some charge five per cent.

Question. Do you charge five per cent. where the charters extend only to a port in the United States?

Answer. We used to, to New Orleans and the south charge five per cent.; but for New York we had a regular charge, they collecting the freight. Since the Baltimore and Ohio railroad has been broken up it has knocked us dead in our trade.

Question. Do you know of any person applying to Colonel Belger to charter vessels?

Answer. I have heard of one or two, and they said he turned them over to Mr. Hall.

Question. Do you know Charles Coblens?

Answer. I know him when I see him. I have no acquaintance with him.

Question. Do you know anything about his business before the war?

Answer. No, sir; I never saw him until within about six months. He was pointed out to me.

Question. What is his business in Baltimore?

Answer. I understood he was a horse-jockey.

Question. Has he ever before been engaged in the shipping business?

Answer. Not that I know of.

Question. Do you know John F. Pickrell?

Answer. Yes, sir.

Question. How long has he resided in Baltimore?

Answer. Well, it is hard work to say. I have known him for about thirty years.

Question. What has been his business?

Answer. He has been a commission merchant at Baltimore.

Question. Has he been engaged as a ship-broker?

Answer. No, sir; not a ship-broker.

Question. Have you known of his owning any vessels until quite recently?

Answer. I believe not.

Question. Did you ever know of his having any transactions with Mr. Charles Coblens?

Answer. I cannot say for certain as to the name. There is a Coblens; whether it is Charles or not, I cannot say. He has a sign on Mr. Pickrell's door on Schmidt's dock. This Coblens is a Jew. I do not know his first name.

Question. Do you know of more than five per cent. having been paid to Mr. Hall for brokerage?

Answer. I do not. That is all I paid.

Question. Did you pay five per cent. upon the vessels' receipts during the time they should be in the employment of the government?

Answer. Yes, sir. They were chartered at four dollars per registered ton per month. One of them amounted to $1,100, and another to $864. The other two were smaller.

Question. Were they chartered for a given time?

Answer. It was so much a month; the charter to last as long as the government wanted them.

Question. Was your agreement with Mr. Hall that he should retain five per cent. upon the earnings of the ships so long as the government employed them?

Answer. Yes, sir.

Question. Do you know of any vessels being chartered to government in Baltimore, except through the agency of A. C. Hall?

Answer. I do not know of one, sir.

JOHN ROSE.

WASHINGTON, *Monday, January* 12, 1863.

WILLIAM APPLEGARTH, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your name, the firm of which you are a member, your residence, and occupation.

Answer. William Applegarth, of the firm of William Applegarth & Son, 37 Platt street, Baltimore; ship-broker.

Question. How long have you been so engaged?

Answer. Fifteen or twenty years.

Question. In Baltimore?

Answer. Yes, sir.

Question. Have you chartered any vessels to the United States government?

Answer. Yes, sir.

Question. How many?

Answer. I do not know that I can answer exactly; fifteen or twenty at different times.

Question. Did they belong to you or to other parties?

Answer. To me and other parties; mostly to myself.

Question. Through whom have you chartered them?

Answer. A. C. Hall.

Question. Anybody else?

Answer. No, sir; not to government.

Question. What have you paid him on all?

Answer. Five per cent. in all cases.

Question. Have you paid him more in any case?

Answer. No, sir; not myself. I think he has collected more.

Question. From whom?

Answer. From the captains of these vessels.

Question. Of these same vessels?

Answer. Outside vessels. Those I had nothing to do with myself.

Question. Are those sailing vessels or steamers?

Answer. Sailing vessels—all, sir.

Question. Is this five per cent. upon all the earnings of the ships, so long as they remain in the employment of the government?

Answer. Yes, sir.

Question. Did you ever apply to Col. Belger to charter your vessels?

Answer. Yes, sir.

Question. Why did you go to Mr. Hall?

Answer. He referred me to A. C. Hall.

Question. Why?

Answer. I do not know. I was vexed about it.

Question. Did he give any excuse for sending you to him?

Answer. No, sir; he said he was a very clever gentleman; that was all. He just turned me off to him.

Question. He just turned and said, "You can apply to Mr. Hall?"

Answer. Yes, sir; that was all.

Question. When was that?

Answer. That was before he moved on Gay street; in January or February?

Question. How much in all have you paid to Mr. Hall for the vessels he has chartered of you? State generally.

Answer. I suppose $1,200 or $1,500, on what I have chartered.

Question. Do you know Charles Coblens?

Answer. I only know him as a man; I have seen him some since he has been there with Mr. Pickrell.

Question. How long has he been in the shipping business?

Answer. I have never known him until about a year ago.

Question. How long has Mr. Pickrell?

Answer. Mr. Pickrell has been there as a commission merchant, around about, but not in the shipping business

Question. Was he supposed to have any capital when he went into this business.

Answer. I do not know either one of them had.

Question. How did they manage to get this business into their hands?

Answer. Upon my word I don't know; I have demurred time and again, and have not chartered my vessels to Hall; and what was the consequence? I was thrown back and I had fifteen or twenty vessels on my hands, and eastern vessels would come in and he would charter them right under my eyes, and I then told my captains, "You must agree with me to pay him the five per cent., for if we do not we cannot do any business."

Question. Do you know of any vessels being chartered in Baltimore for government, except through A. C. Hall?

Answer. No, sir; not one. I chartered two or three to the Navy Department to go down to Beaufort, I believe, to Joshua Hall; one or two to Old Point, and one or two to Beaufort.

Question. What is the usual percentage charged by brokers for ports within the United States?

Answer. In the city of Baltimore the custom is to charge 2½ per cent., if they go out of Cape Henry, and 5 per cent. inside of Cape Henry. That is our usual charge.

Question. You never knew anything about Coblens until he turned up as an army contractor?

Answer. I did not. I do not know where he came from. My im-

pression is that Coblens is the owner of all these steamers on the papers; and Mr. Pickrell & Hall, who would not be known in it, are receiving the profits. There is no doubt in my mind about that. They turned around last summer and bought a large part of the steamers in the city of Baltimore: the tug-boats Edwin Forrest, the Fairy Queen, the Jim Murray, the old Patapsco, the old Haswell. They bought the side-wheel steamer Cecil, the steamer Baltimore, the Telegraph, the Lily, the Miss Mary, and the barge Delaware. You cannot find out who the owner is; but Coblens appears so. He has been a horse dealer; there was a circumstance. One of my captains was on the Baltimore. She came up from Beaufort, and it was reported that she ran into a pungy. They were going to libel her, and I was sent for to go bond for her. I would not go, because I would not go into anything that Mr. Pickrell was not in himself. The captain said he would go up and bond her. He went up and found that she really did not belong to anybody but Coblens and McFarlane, Col. Belger's clerk. The profits, I suppose, are divided between Hall & Pickrell.

Question. How much is the Baltimore worth?

Answer. I don't know. I suppose she is worth $16,000 or $18,000.

Question. What is the Patapsco worth?

Answer. I would not give $500 for her, and I never saw the time within five years when I would. She is a perfect humbug.

Question. What is the Telegraph worth?

Answer. I don't know what the Telegraph is worth. The Patapsco was not worth over five to ten hundred dollars.

Question. What is the Fairy Queen worth?

Answer. I think he paid $3,000 or $3,200 for her.

Question. What is the Lily worth?

Answer. I don't know anything about the Lily. She was bought from Chesapeake city.

Question. Do you know anything about the Cecil?

Answer. No, sir.

Question. You say that when you proposed to Col. Belger to charter your vessels to him, he directed you to Mr. Hall?

Answer. Yes, sir; I then asked him why he did it. Said I, "Col. Belger, you are subjecting me to paying 5 per cent. commission, when I could serve you with the vessel as low or lower than Mr. Hall, because I would not have the commission to pay."

Question. Then Col. Belger knew that Hall compelled you to pay five per cent. commission?

Answer. Yes sir, I told him so, and I asked him why he subjected me to it? He said "O, Hall is a very clever man," and turned me off in that way.

Question. Do you know of Mr. Hall receiving more than five per cent.?

Answer. I know of his doing it, but not on vessels that he chartered of me; so the captains told me. I went to buy a vessel that belonged down east; the captain said she tonned 90 tons, and was bragging what he could make. He said he had chartered her for six months. I asked him if he did not have trouble to get her chartered? He said "No sir, I got her through Hall—she is at $360." "What do you

get?" I asked. He said "$300, and Hall takes $60." I do not know the name of the vessel now, but I gave it to Mr. Baker.

Question. Do you remember the captain's name?

Answer. No sir. I referred it to Mr. Baker, the provost marshal.

Question. Did you ever get Mr. Hall to discount any of your charter-parties?

Answer. No sir, I sold him a bill once.

Question. What discount does he charge on them?

Answer. Five or ten, or anything he can get, but five per cent. I suppose is a general thing.

Question. Is he in the habit of discounting?

Answer. For most of these barges he does.

Question. He discounts the bill?

Answer. Yes, sir.

Question. What are his rates for discounting?

Answer. I do not know—not less than five per cent., of course, I suppose.

Question. Do you know anything of any of the tugs or vessels employed by the government having been used, while under charter, for tugging private vessels?

Answer. Yes, sir.

Question. State what vessels were thus used.

Answer. The Patapsco and the Haswell. We paid the bills frequently—time and again.

Question. To whom?

Answer. To Mr. Hall's clerk; and any man that had half an eye could see that that was not right.

Question. Has Mr. Hall been acting as the agent of the government there, managing these boats in the harbor?

Answer. He has, since last August, I think.

Question. Has he had the general charge of the boats around the harbor?

Answer. Yes, sir; everybody that wants to do anything there has to go to Mr. Hall.

W. APPLEGARTHSON.

WASHINGTON, *Monday, January* 12, 1863.

ANDREW GRAY, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your place of business and occupation.

Answer. Corner of Buchanan's wharf and Pratt street, Baltimore; ship-broker and commission merchant.

Question. Have you chartered any vessels to the United States within the last eighteen months?

Answer. We have.

Question. How many?

Answer. Probably in the neighborhood of seventy-five, more or less.

Question. Sailing vessels or steamers?

Answer. Entirely sailing vessels.

Question. State through whom you have effected those charters.

Answer. We have chartered to the quartermaster's department through A. C. Hall. We have chartered a few to the Navy Department.

Question. Have you chartered any to the quartermaster's department except through Mr. Hall.

Answer. No, sir.

Question. What per cent. have you paid Mr. Hall on those charters?

Answer. Five per cent.

Question. Five per cent. on their earnings during the time they were in the employment of the government?

Answer. Yes, sir.

Question. Why did you apply to A. C. Hall to effect your charters?

Answer. The first government charters I was aware of were on the Burnside expedition; and Mr. Hall had chartered a number of vessels before I had any knowledge of it.

Question. Did you apply directly to the quartermaster's department?

Answer. No, sir.

Question. Why did you not go directly to the quartermaster's department?

Answer. Mr. Hall was in the market with these charters. I was always under the impression that I could not charter direct, although I never made application. It was by common consent among ship-brokers.

Question. Were you acting as owner or ship-broker?

Answer. As ship-broker.

Question. How much did you charge the men for whom you acted?

Answer. Two and a half per cent.

Question. And he charged you five per cent.?

Answer. Yes, sir.

Question. So that the owner was compelled to pay seven and a half per cent.?

Answer. Yes, sir; if they went directly to Mr. Hall I think they saved two and a half per cent.

Question. How long has Mr. Hall been transacting this kind of business with sailing vessels?

Answer. I can state the first knowledge I had of his being in the market. Perhaps others were chartered before ours. I think ours were in February, 1862, the time of the Burnside expedition. We did not charter any until that time. The first vessels we chartered were for the Burnside expedition.

Question. Do you know of any vessels being chartered for the War Department, at Baltimore, except through the agency or instrumentality of A. C. Hall?

Answer. I do not; I have no knowledge of any.

Question. Do you know whether he is the agent of the quartermaster for the care of his boats after they are chartered, whilst in the harbor?

Answer. We go to him; he charters the vessels; he gives directions where to go and load, and what to load with.

Question. He looks after them and orders them?

Answer. Yes, sir; an order passes through him. I have noticed frequently we did not get an order. A vessel, for instance, is loaded with coals: he tells them where to go. The captain does not go to Colonel Belger's office to get his orders in every instance.

Question. He represents Colonel Belger?

Answer. The orders pass through him. Colonel Belger's name is attached to the order. If the vessel is ordered to Fortress Monroe, or any place else, the orders come through Mr. Hall.

Question. Then Mr. Hall acts for the principal, and controls them?

Answer. The charters we have made have been signed by different parties.

Question. But after the vessels have been chartered, are they not controlled and directed by Mr. Hall, as the representative and agent of the quartermaster's department?

Answer. I hardly know what term to apply; as an agent, certainly, he directs the vessels where to go; and when they are loaded he watches very closely to see that they get off.

Question. Do you know of any vessels in the employment of the United States having been used to tow private vessels there?

Answer. I have no positive knowledge of it. I have heard it so stated, but I have no positive knowledge of it. I am not interested in any steamboats.

Question. Do you know Charles Coblens.

Answer. Yes, sir.

Question. How long have you known him?

Answer. I have never known him until within a short period. He has an office with Mr. Pickrell. I never knew him until last fall.

Question. Did you ever before know him as an owner of shipping?

Answer. No, sir. I have heard that he has made purchases since the war.

Question. Did you know of Mr. Pickrell being engaged as a shipbroker, or as an owner of ships?

Answer. Yes, sir. I have known Mr. Pickrell for eight or nine years. He was interested in navigation. He undertook to build a ship eight or nine years ago—a ship named the John Clark. He commenced building the John Clark, and was interested to some extent.

Question. What amount of capital had Mr. Pickrell when he went in with Coblens?

Answer. I do not know. He has been in active business in Baltimore with Butts, Pickrell & Co.

Question. Was he supposed to be worth anything?

Answer. His father was from Georgetown, and I believe left a very considerable estate.

Question. Have you ever been much about Colonel Belger's office?
Answer. I have; on an average of perhaps once a week.
Question. Is Coblens generally there?
Answer. I have seen him there frequently.
Question. Did you ever see Pickrell there?
Answer. No, sir; I never saw him there.
Question. Is Hall frequently there?
Answer. He is generally there. I have seen him there as often as any other man that I met there.
Question. Did you ever have any of your bills for charter-parties discounted by Mr. Hall?
Answer. No, sir; I don't think we have.
Question. Do you know of any merchants, or ship-owners, or masters having that done?
Answer. I think sometimes Mr. Hall has lent them money—one or two hundred dollars frequently. There is great delay in getting into Colonel Belger's office. There is such a crowd, sometimes I have had to wait for days in order to collect.
Question. How much did he charge for such collecting?
Answer. I don't know that he has charged anything.
Question. What did you pay him?
Answer. I have never borrowed any money on any charters.
Question. Who controls the Citizens' Bank?
Answer. John Clark. This ship I spoke of was named for him. He was in business when he bought the charter of the bank. He is interested in the bank to a great extent. He is the largest shareholder. It is considered his bank.

ANDREW GRAY.

WASHINGTON, *Monday, January* 12, 1863.

JOHN R. RHODES, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your place of business and your occupation.
Answer. I am a ship-broker and commission merchant. My office is on the corner of Smith's wharf and Pratt street.
Question. How long have you been engaged in that business?
Answer. Fifteen or sixteen years.
Question. Have you chartered any vessels to the United States government during the last eighteen months?
Answer. I have chartered ten or twelve.
Question. Through whom?
Answer. A. C. Hall.
Question. Who and what is A. C. Hall.
Answer. I don't know. I never could find out.
Question. How long has he lived in Baltimore?
Answer. He has been in Baltimore, I should think, seven years.

Question. How did it happen that you, being a ship-broker, went to A. C. Hall, another ship-broker?

Answer. Colonel Belger would have nothing to do with us.

Question. Did you ever apply to Colonel Belger to charter your vessels?

Answer. Yes, sir.

Question. What did he say?

Answer. He said Mr. Hall was the man.

Question. To charter the vessels?

Answer. Yes, sir.

Question. Did you ever apply to him more than once?

Answer. No, sir.

Question. He said you must go through A. C. Hall?

Answer. Yes, sir.

Question. Did he state the reason why you must charter through Hall?

Answer. No, sir.

Question. What commission did you pay Hall?

Answer. I have paid him on my own vessel, and those I am interested in, five per cent.

Question. How much on vessels for other parties?

Answer. I should think it would amount to seven and a half per cent., certainly, on some vessels.

Question. You paid him seven and a half per cent.?

Answer. Yes, sir, on some vessels.

Question. Then you charged the owners besides?

Answer. Yes sir. I have to charge the owners two and a half per cent. commission on charters made, outside of the four dollars a ton per month. For hay, oats, and such cargoes around the bay here, were five per cent. That was our usual charge.

Question. In addition to that he charges five per cent.?

Answer. Yes, sir.

Question. That makes ten per cent. that comes out of the owner?

Answer. Yes, sir. It was seven and a half to twelve per cent. that came out of the owner. I should like to add a few words. When I was here before Mr. Baker, and also a gentleman with whom I am well acquainted, who was with him, and I there named two vessels, and stated the facts that I was acquainted with. When I went back to Baltimore Mr. Hall attacked me about my being here. He did not ask me what I said. He took me into his private office. I don't know whether the door was locked or not. I got very angry, and I don't know what would have happened if a gentleman had not come in there.

Question. How did he attack you?

Answer. Says he, "I understand you have been talking about me;" and he brought up this affair that you know was here, and in particular in regard to a charge I had made, that Mr. Tone, of Port Deposit, had told me that he had paid Hall ten thousand dollars commission. He told me that, in presence of my nephew, who heard it also. He has denied since that he said so.

Question. Who was this that made the statement?

Answer. Mr. Jacob Tone. He resides at Port Deposit. He denied

having said so; but he was standing alongside of me at the time, and I put it right down on a piece of paper.

Question. Did he deny doing it?

Answer. No, sir; but he denied having said that he had paid that on contract of lumber.

Question. Do you know of any vessel having been chartered in Baltimore for the use of the United States government, except through the agency of A. C. Hall.

Answer. I did, sir, in one instance.

Question. What vessel was that?

Answer. I do not know the name of the vessel. A gentleman told me the circumstance last week; that he went there, to Colonel Belger, for the papers, and the papers were sent to A. C. Hall; and when he went there after his papers Hall said, "You owe me $75 for my five per cent. commission." He says, "I can't pay it. This is my own vessel."

Question. Who told you this?

Answer. Marsella A. Mitchell is his name. He made the contract direct for his own vessel. His place of business is No. 2, Spear's wharf Hall has not done any business with me since I got back from Washington. My own vessels have laid there, and he has chartered vessels from other parties. I do not suppose he will deal with me.

Question. How long has Charles Coblens been engaged in the business of ship-owner and broker?

Answer. I do not know.

Question. How long have you known him?

Answer. I have known him—say, one year.

Question. What business has he been engaged in?

Answer. I do not know.

Question. How long has Mr. Pickrell been engaged in shipping?

Answer. Mr. Pickrell is what is termed a merchant here. I have known John F. Pickrell for ten years.

Question. Have you known him as a ship-broker?

Answer. I have never known him as a ship-broker.

Question. Or as a ship-owner?

Answer. No, sir; before this business he used to do a great deal of business with the south; and just at the breaking out of the rebellion he chartered, may be, two or three vessels to take coal south, for I have always taken him to be a strong southern man until now. Coal was very high there.

Question. You always took Pickrell to be so?

Answer. Yes, sir.

Question. Is that the general understanding in Baltimore?

Answer. That was a surmise of my own.

Question. Do you know any other other facts bearing upon the subject of our inquiry?

Answer. I chartered two steamboats, the Pilot and the Joseph F. Baker to A. C. Hall in March, 1862, I think.

Question. For how long a time?

Answer. No definite time; by the day.

Question. At what per day.

Answer. One was at $50 a day, and the other was at $65 and at $85 a day; that is $65 if she continued in this service, and $85 if she went out south towards Hatteras or New Orleans; but that is not what they are paying now. They are now paying almost double that for vessels.

Question. Who did you charter them for?

Answer. For the government.

Question. Did you own them?

Answer. No, sir. I was merely agent for them.

Question. What parties?

Answer. Parties in Philadelphia; Baker & Co.

Question. How much commission did you pay Hall on them?

Answer. He was to have five per cent. and I two and a half.

Question. Was there to be any other portion of the receipts on the charter-party paid to Hall?

Answer. I believe the charter-party was made out in Mr. Hall's name; almost all were made out in his name. They would not make them out in anybody else's name; most of the charter-parties that I saw were.

Question. Who signs them for the government?

Answer. Colonel Belger does now. I think most of them for a time were signed by Captain Hodges, of New York.

Question. Was any person present at the time of the chartering of those vessels and steamboats?

Answer. Yes, sir; Mr. Baker's son was there.

Question. How long has that charter-party continued?

Answer. I do not know, sir. I believe one of them is engaged now, and as Hall don't speak to me, I can get no account of the boats, nor where they are, nor what they are doing.

Question. Are these charter-parties made in his name?

Answer. I think so.

Question. Does he hold them?

Answer. I believe he does.

Question. Did you ever have, or do you know any one who has had the amount due on a charter, or due from the government, discounted by Hall?

Answer. Yes, sir, that has been done. It has never been done for me.

Question. How much does he charge for discounting?

Answer. From two and a half to five per cent. is paid.

Question. What were Hall's circumstances when this war broke out, or when he commenced this business?

Answer. I think they were very slim, from the business he was doing.

Question. What are his circumstances now?

Answer. I have myself individually put his income down at $500 a day, net income. I do not know what any other person would think about it, but that is my idea of the matter.

Question. Did you say that these vessels are now getting a higher rate than you chartered them at?

Answer. No, sir; I say the government is paying a higher rate for poorer propellers.

Question. Do you know anything about the government vessels having been used for towing private vessels at Baltimore?

Answer. I know of it, sir; but I do not know what the bills were. I have heard men speak about it, that government vessels were being employed in that way and that he was getting paid for it.

JOHN R. RHOADS.

WASHINGTON, *Monday, January* 12, 1863.

RICHARD M. HESLEN, being duly sworn, testifies as follows:

Examined by the chairman.

Question. State your place of business and the character of your business.

Answer. Corner of Pratt and Gay streets, Baltimore; ship-broker.

Question. How long have you been engaged in that business?

Answer. Since 1854.

Question. Have you chartered any vessels to the United States government since this war commenced?

Answer. Yes, sir, I have, a number of them—perhaps 30 or 40 or 50—I cannot tell exactly.

Question. Were they sailing or steam vessels?

Answer. Sailing, altogether.

Question. State through what broker you chartered them?

Answer. It was done altogether through A. C. Hall.

Question. Did you ever charter any through anybody else?

Answer. No, sir. I believe we did charter one through Captain Loper, at Annapolis, before Mr. Hall had anything to do with the business.

Question. State what per cent. you have paid to Mr. Hall for transacting this business.

Answer. I have paid Mr. Hall on all the vessels that were chartered for the Burnside expedition (and I think there were twelve for that expedition) 7½ per cent.

Question. How much for the others?

Answer. For those since, for the McClellan expedition and whatever business they wanted them for, 7½ per cent.; we paid him five and retained 2½. It was understood by the captains that they were to pay 7½ per cent. commission. We retained 2½ and paid the other five to Mr. Hall.

Question. Do you know of any vessels at Baltimore chartered for the United States government except through the agency of A. C. Hall?

Answer. I do not, sir.

Question. Did you ever have any of your bills that were due from the government for charter-parties discounted by Mr. Hall?

Answer. I have no positive knowledge of it. I have heard some of the captains say that Mr. Hall has given them money.

Question. What percentage did he charge them?

Answer. I am not able to state.

Question. Do you know that he made a charge?

Answer. I am fully under that impression, but I cannot say so.

Question. Why did you charter your vessels through Mr. Hall?

Answer. We could not charter them otherwise.

Question. Did you ever try to charter your vessels otherwise?

Answer. I do not know that I ever applied directly to Colonel Belger, but it was a matter understood among all the brokers at Baltimore and the owners of vessels, that it was of no use to apply to Colonel Belger.

Question. You were so told by those who had tried?

Answer. Yes, sir.

Question. How much did you pay Captain Loper on the vessel you chartered through him?

Answer. Nothing.

Question. Did you agree to give him anything?

Answer. No, sir.

Question. What were Mr. Hall's circumstances when he commenced this business?

Answer. We knew him as an agent for tow-boats. I have known Mr. Hall for six, seven, or eight years that he has been in Baltimore. When I first knew him he was agent for the American Coal Company, and afterwards for Cromwell's line of steamers from Baltimore to New York; after this war broke out he got at this business.

Question. How was he regarded, as to his pecuniary circumstances?

Answer. I do not think he was ever regarded as a man of means.

Question. How is he now?

Answer. I think he is pretty well to do. It is generally supposed so.

Question. Is it understood that he is rich—that his revenues are very large?

Answer. Yes, sir.

Question. How much do you estimate them per day from what you know of the percentages he has received?

Answer. I have known days when he has not done anything at all, and then I have known him to take seven or eight vessels that paid him $50 apiece, perhaps.

Question. Are not all the vessels chartered at Baltimore paying him regularly five to seven and a half per cent. upon all their earnings?

Answer. Yes, sir.

Question. Then his revenues are very large?

Answer. Yes, sir. I have heard it estimated frequently at $500 a day; of course I could not say myself.

Question. Do you know Charles Coblens?

Answer. Yes, sir.

Question. When did you first know him as being engaged in your profession of ship-owner and broker?

Answer. No, sir; I say the government is paying a higher rate for poorer propellers.

Question. Do you know anything about the government vessels having been used for towing private vessels at Baltimore?

Answer. I know of it, sir; but I do not know what the bills were. I have heard men speak about it, that government vessels were being employed in that way and that he was getting paid for it.

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Question. Then his revenues are very large?

Answer. Yes, sir. I have heard it estimated frequently at $500 a day; of course I could not say myself.

Question. Do you know Charles Coblens?

Answer. Yes, sir.

Question. When did you first know him as being engaged in your profession of ship-owner and broker?

Answer. Altogether since the war broke out. He was a kind of horse dealer.

Question. Do you know Mr. Pickrell?

Answer. Yes.

Question. When did you first know him as engaged in this description of business?

Answer. I never knew him as a ship-broker. I knew him as a commission merchant, who received consignments of goods. He owned a small schooner some eight or ten years ago, and I believe he had something to do with building a ship.

Question. Do you know of any portion of any charter-party of any vessel chartered by the United States government having been paid to Mr. Hall, or any other gentleman representing or acting for the government?

Answer. Nothing more than the commission agreed upon in the first place.

Question. Has Mr. Hall acted as the agent of the quartermaster's department in disposing vessels in the harbor, directing them when they should leave, where they should go, and in stowing them, &c.?

Answer. Yes, sir. He has frequently given instructions where the captains should proceed, and sent a tug-boat to take them to such a place.

Question. Do you know of any vessel chartered by the government, and in its employment, that has been used for towing private vessels?

Answer. I do not. I have heard it stated that such was the fact, but I have no knowledge of it.

R. M. HESLEN.

WASHINGTON, *Tuesday, January* 20, 1863.

RICHARD F. LOPER, being duly sworn, testified as follows:

Examined by the Chairman.

Question. State your residence and occupation.

Answer. I reside in Philadelphia in the winter. My summer residence is in Stonington, Connecticut. I have resided in Philadelphia about 34 years. I married in Philadelphia. My occupation is steamboat and ship constructor—steam-boiler, steam-engine, and propeller constructor, and inventor of all. I am president of the Philadelphia Steam Propeller Company, and have been since 1849. As to my last business, I have neglected everything since the war broke out, but to attend to and try to assist the government and serve my country as much as in me lay.

Question. When did you commence serving the country during this war?

The WITNESS. May I, if you please, ask you a question?

The CHAIRMAN. Yes, sir.

The WITNESS. I am here before you and will answer everything to the best of my knowledge and belief. Do you wish me simply to

answer your question, or explain in reference to everything that you want to know?

The CHAIRMAN. I would like to have you answer my questions. You can then, if you desire, add any explanation you may deem necessary.

The WITNESS. I wish to satisfy you and give you information on the subject of your investigation. I know more—I say before God and man, and I can give you more information than any other man living on the subject of your inquiry.

Question. Have you been engaged in chartering vessels to the government or for the government during the present insurrection?

Answer. Both.

Question. When did you commence chartering vessels to the government?

Answer. Well, I commenced *taking* them as it were by force. Our troops were shot down in Baltimore—I forget the date, but somewhere about the 20th of April.

Question. The 19th.

Answer. Well, then, on the 20th I commenced taking vessels. We formed a company—those were trying times to men's souls. Mr. J. Edgar Thompson, president of the Pennsylvania railroad, and Mr. Felton, president of the Philadelphia, Wilmington, and Baltimore railroad, and myself, came to a determination to take the responsibility and open a communication with Washington. Communication was then all cut off. We could hear from nothing nor nobody. Then it was decided.

Question. I inquired the date at which you commenced chartering vessels—you say the 20th of April?

Answer. Yes, sir; the day after the troops were shot down in the streets of Baltimore.

Question. Were the vessels you took up at that time taken up for the government?

Answer. They were taken up for the government—not knowing whether the government would pay for them, or we would have to pay for them individually out of our own pockets.

Question. Had you no authority at that time from any one to take them?

Answer. No sir, none whatever, except that Mr. J. Edgar Thompson was appointed by Mr. Cameron transportation agent.

Question. From that time since you have been acting for the government in taking vessels?

Answer. In no way. The owners of these vessels that we took became anxious to have their vessels back or to know who was going to pay for them. Mr. Thompson then appointed me sub-agent to him to sign these charters. There was no price agreed upon for the vessels at the time they were taken. Mr. Thompson, Mr. Felton, and myself, fixed the price which these vessels ought to be paid and fixed up the charters and I signed them as assistant agent of the War Department, receiving my appointment through Mr. Thompson, which appointment is now on file with the War Department at Washington. In about three or four weeks, I do not remember ex-

actly now, from the time I received my appointment, I received a notice from J. Edgar Thompson that Mr. Tucker had been appointed transportation agent and my services would be no longer required. After that I signed no charters, with the exception of three or four schooners I took up about forty schooners for General Burnside at Annapolis. I assisted him. I volunteered.

Question. When was that?

Answer. That was in January last, I think. I was with him about forty-five days there; helped him all in my power; volunteered, with no authority but Mr. Tucker's request, only love of country. I chartered forty different vessels for him; made the bargain by his order.

Question. In whose name were they chartered, and who signed the charter-parties on the part of the government?

Answer. The most of them were signed by Mr. Tucker; afterwards, by request of General Burnside, a part of them were signed by me, as I said, by the authority of General Burnside and John Tucker.

Question. How did it happen that General Burnside and John Tucker did not sign them themselves?

Answer. I do not know.

Question. Was General Burnside there?

Answer. Yes, sir.

Question. Was Mr. Tucker there?

Answer. No, sir, or he would have signed them.

Question. Why did you say, when you signed them, that you signed them by order of Mr. Tucker?

Answer. Because he told me to do everything by order of General Burnside.

Question. Had you any written authority?

Answer. Yes, sir.

Question. Have you that with you?

Answer. I have a despatch from Mr .Tucker that General Burnside had requested him to send me to him to assist him at Annapolis.

Question. What other vessels have you chartered besides those for the Burnside expedition?

Answer. None myself.

Question. What others have you been instrumental in having chartered?

Answer. A great many. Mr. Tucker employed me to examine and report upon and recommend all the steamboats that were chartered in Philadelphia and New York for General McClellan's expedition. I examined and reported them, and Mr. Tucker and Mr. Hodges, whom the Secretary of War detailed to assist Mr. Tucker, made the bargains and fixed the prices, and Mr. Hodges signed all the charters.

Question. Did you examine and report upon the Matamora?

Answer. No, sir.

Question. Did you examine and report upon the Baltimore?

Answer. No, sir; she was not then chartered. The Matamora, sir, was chartered here. She was on this river, if I remember correctly. She was chartered by Colonel Ingalls. The Matamora is of 311 tons.

Question. Did you examine and report upon the George Washington, Captain Whilldin's vessel?

Answer. Yes.

Question. The Mayflower?

Answer. She was not chartered where we were.

Question. The Telegraph?

Answer. No, sir.

Question. Have you any vessels, or any interest in any vessels now in the employment of the government? If so, state their names, distinguishing between such as are steamers and such as are sailing vessels, their tonnage, the rate per day, and what particular interest you have in them.

Answer. I present the following list as an answer to your interrogatory:

R. F. Loper's list of vessels chartered, &c.

Steamers.	Per diem.	Tonnage.	Owners.
Sophia	$145 00	325	Phila. Steam Propeller Co.
Planet	145 00	325	Do. do.
Josephine	145 00	325	Do. do.
Thos. Sparks	145 00	325	Do. do.
The above-named steamers have been chartered for $145 per day in summer, and $150 per day in winter, except this winter.			
Col. Rucker	145 00	350	Do. do.
L. G. Cannon	130 00	200	Do. do.
Major Belger	130 00	185 84/95	Do. do.
Novelty	120 00	177 22/52	Do. do.
H. Burden	.....	175	Do. do.
Sarah	.....	200	Do. do.
Black Diamond	.....	200	Do. do.
Ironsides	.....	200	Do. do.
Ann Eliza	.....	.....	N. Y. Exp. Steamboat Co.
Alida	.....	.....	Do. do.
Bristol	.....	.....	Do. do.
Beverly	.....	.....	Do. do.
I do not collect nor charge any commission on the four boats last named above, except Ann Eliza.			
Monitor	300 00	300	R. F. Loper, part owner.
New York	.....	1,000	Do. do.
J. Brooks	.....	1,000	Do. do.
Diamond State	.....	375	Do. do.
Chas. Osgood	.....	400	Do. do.
Quinnebaug	.....	350	Do. do.
Shetucket	.....	350	Do. do.
Patuxent	125 00	300	Do. do.
General Meigs	300 00	400	Do. do.
General Burnside	300 00	400	Do. do.
Swan	200 00	350	Do. do.
I never have charged any commission on the above-named boats, steamer Ann Eliza excepted.			
Decatur	150 00	300	Do. do.

Question. In which of these vessels do you own an interest?

Answer. In the Monitor I own one-fourth; in the New York I own one-sixth; in the Brooks I own one-fourth; in the Diamond State I own one-third; in the Charles Osgood I own one-third; in the Quinnebaug I own one-third; in the Shetucket I own one-fourth; in the Patuxent I own all; in the General Meigs I own one-fourth; in the General Burnside I own one-fourth; in the Swan I own one-fourth.

Question. You are a stockholder in the New York Steamboat Express Company?

Answer. Yes, sir; and in the Philadelphia Steam Propeller Company. My interest in the vessels of the Philadelphia Steam Propeller Company and the New York Steamboat Express Company is only that of a stockholder.

Question. State of what vessels you act as the representative or agent or "ship's husband," the tonnage of such vessels, so far as you know, and the compensation that is being paid by the government for their use.

Answer. I will answer that interrogatory by handing you a list of all the vessels of which I am ship's husband, or for which I collect the moneys as follows:

List of vessels.

Steamers.	Per diem.	Tonnage.
John Tucker	$300 00	$481\frac{86}{95}$
Robert Morris	275 00	$431\frac{8}{95}$
Express	175 00	382
Pilot Boy	165 00	256
George Washington	160 00	$378\frac{73}{95}$
United States	160 00	326
W. Whilldin	150 00	$310\frac{72}{95}$
Phœnix	115 00	----------
Star	110 00	130
Com. S. F. Dupont	105 00	$126\frac{66}{95}$
Commerce	105 00	----------
J. P. Levy	75 00	59
Alida	75 00	$77\frac{23}{95}$
Alert	75 00	$67\frac{35}{95}$
Champion	75 00	$57\frac{8}{95}$
Adriatic	40 00	$58\frac{13}{95}$
	Per month.	
City of Richmond	6,560 00	----------
Patapsco	7,975 00	462
Thos. Swan	7,975 00	462
George's Creek	7,975 00	462

Question. Are these vessels, named in the two lists which you have presented, still in the employment of the government?

Answer. They are in the service now of the government; but the Thomas Swan, Patapsco and the George's Creek have changed owners, and the present owner has not employed me to do his business; but I was commanded to bring here a list of *all* these vessels.

Question. Have you had anything to do with sailing vessels?

Answer. No, sir; not one, except those chartered for General Burnside; that is all. At New York and Annapolis I notified every master of a vessel who was there, sending the notice through a soldier with his musket at his shoulder, that if they allowed a broker to interfere or attempt to charter a vessel to government, I would not charter her, and would send to New York and Baltimore for the vessels; and no commission was paid to a living soul. Mr. Tucker sent for me to come to Washington immediately.

Question. When?

Answer. When the McClellan expedition was getting up; that was in January, 1861. I met General McClellan and Mr. Secretary Stanton and Mr. Tucker together at the War Department. General McClellan asked me to make an estimate of what it would cost to move his army; he gave me a list of everything he had to go—wagons, stores, horses, and men; and I made an estimate, which took me two days, and handed it in. The army was to be moved 60 miles; it was delayed; they wanted to move right off, but it was delayed some six weeks before I heard anything more from it. Mr. Tucker then came on and asked me if I would assist in getting vessels for the McClellan expedition, and examine them and report to him.

Question. Mr. Tucker came on to where?

Answer. To Philadelphia. He told me that he and Mr. Hodges were appointed by the Secretary of War to get up the vessels for this expedition; but he told me that he was not authorized to pay me anything for my services, and I must charge no commission nor anything else for my services; I then told him that I would volunteer my services, and that I would charge the government nothing for my time. I examined all the vessels which I could find in New York and all we could get in Philadelphia; every steamboat that was fit, that could be taken, was taken. Mr. Flanagan, Mr. Groves of the Ericsson line, Captain Whilldin, and Mr. Clyde of the express line, whom I had been doing business for, I told them each, and every one of them, that I could not take a commission in any form or manner, nor I never did take one penny for all the vessels examined for the expedition. We got all that we could get in New York. Since this war begun, I have been offered by almost all the ship-brokers in New York to divide the commission with me on vessels, which offer I never have accepted; not one dollar, either directly or indirectly. In reference to that McClellan expedition, I followed out here and took charge of the ships, artillery and men, with Colonel Ingalls, and stayed until the expedition was all off; all that made me go into this business was my love of my country. I told Mr. Tilton, I have got money enough for myself and my children, but if we have no country, what is all my property worth; that was when our troops were shot down; but if I can make a commission out of a vessel chartered at a low rate, I don't see any harm in it.

Question. Do you know anything about the steamer Columbia?

Answer. I think she is a Baltimore boat. She was chartered for the McClellan expedition at $350 a day. She is very high between decks.

Question. Do you know anything about her charter?

Answer. No, sir.

Question. Do you know anything about the old steamer Telegraph?

Answer. No, sir. I never had any connexion with the chartering of the vessels at Baltimore, except when large quantities of vessels were loaded with government stores to go to Annapolis and Baltimore I have recommended their agents, McCready and Mott, who had more than almost anybody else, to Mr. Hall. I suppose hundreds of them, they having more than anybody else. Occasionally I have sent eastern steamboats to him. Colonel Belger was taking up vessels, and Hall is a clever fellow. He has remunerated me very liberally for all that I have ever done.

Question. How has he remunerated you?

Answer. He has given me money from time to time, which he said he could afford to pay for the services I had rendered to him.

Question. Did he pay you for the vessels that he chartered for this McClellan expedition?

Answer. Not that I know of. He did not name any vessels for the money that he gave me. I had a right to receive it as sent. It was distinctly understood at New York and Philadelphia that I was to have no compensation for it whatever. I did not ask of him the money he gave me. I made an excellent use of it. I gave as much away for the use of my country.

Question. How much did he pay you?

Answer. I never kept any account. I put it into the sinking fund. I think he may have paid me ten or twelve thousand dollars. I could not say exactly on my oath.

Question. Does he owe you any?

Answer. Not that I know of.

Question. Is any more coming to you?

Answer. Not that I know of. I have no claim on him. It is only to his generosity.

Question. You had no contract with him?

Answer. No, sir; only he said if I would send him the vessels he would divide the per cent.

Question. Was there no understanding as to what division should be made?

Answer. I think not, sir.

Question. Have you any understanding with him that you should have any portion of the percentage upon the earnings of these vessels which you sent him per charter, so long as they might remain in the employment of the government?

Answer. No, sir. In regard to commissions paid for charters, if the charter is for a definite period, the commission is only paid until the end of that period; but if the merchant or broker gets the charter extended, or if it reads for thirty days and as much longer as required for the use of the government, the agent or broker is, in my opinion, entitled to his commissions until the vessel is discharged from the service. I consider that a man, if he charters a vessel for thirty days, and agrees to pay an agent for that charter a commission for thirty days, has the liberty to withdraw that. I have offered to Captain Whilldin and Mr. Clyde, and all these gentlemen, to let

them withdraw their vessels from me if they did not wish to pay me. If they did not wish me to do the business, and wished to do it themselves, I offered to give up the charters. I gave up to Mr. Clyde the charters of some four or five vessels last July. I knew Mr. Hall could not go astray in chartering vessels for the McClellan expedition, because I knew he had positive orders what to pay for those vessels, and he could not pay more than what he was ordered to by Mr. Tucker.

Question. Did you see Mr. Hall at Annapolis at the time you speak of having been down, and having sent a soldier around to warn the captains not to employ an agent?

Answer. I did; and I chartered two or three tugs of Mr. Hall then, I believe.

Question. Did you know that Mr. Hall was getting a per cent. at that very time for doing the very thing you were warning the captains of?

Answer. No, sir, I did not notify him.

Question. Did you know that Mr. Hall was getting, or trying to get, a per cent. from the captains at the very time that you were sending this soldier around, with a musket on his arm, warning the captains against employing an agent?

Answer. No, sir, I did not. I do not think—I am positive—he did not get a commission on a vessel that was there.

Question. Are you confident that he never got a commission on the vessels furnished for the McClellan expedition?

Answer. No, sir; I presume he did. I have no doubt he did. He had an undoubted right to charge the owners a commission, provided he got these vessels inside of, or up to, the mark at which he was authorized to charter them.

Question. If he had a right to do that, why had not these brokers at Annapolis an equal right to do it?

Answer. There were none there. There were only those that came there for it.

Question. If Mr. Hall had a right to do this in Baltimore, had not a Baltimore broker, who went down to Annapolis, a right to do it there?

Answer. I should think not; because I had given the notice, and I could do it myself and save the owners the commission, and by that means I could probably charter the vessels less. I believe I did make that argument. I believe I did charter several vessels less than we had been paying on that account.

Question. Did you charter any there at a lower rate than that fixed by the department or the quartermaster—four dollars a ton?

Answer. There was no rate fixed for the Burnside expedition.

Question. Did you charter any at lower than that amount?

Answer. I think I did. I have not got that list with me, but I think I did.

Question. Are you confident of that?

Answer. I can't say positively; but I got the vessels very low.

Question. Then the truth is, you were getting a per cent. on the McClellan expedition, through Hall?

Answer. Not at all, sir. Mr. Hall has never rendered me any account.

Question. If the percentage that you received from Hall—ten or twelve thousand dollars—was the division of a per cent. upon the earnings of the vessels employed by the government, including those for the McClellan expedition, you did receive that much compensation for the McClellan expedition?

Answer. If I did, sir—answering your question—I don't know whether it was on McClellan's expedition or any other. If it was so, I was justly entitled to it, for the reason that I was never notified of it. I say I never did any business in Baltimore, never examined any of these vessels in Baltimore; and if Mr. Hall had given me that on that account for vessels employed in the McClellan expedition, I would have been justly entitled to it, because I did not examine any in Baltimore.

Question. I ask you whether you got it or not?

Answer. That I don't know; I got so much money. If it had been in the McClellan expedition, it was upon this I agreed not to charge; I agreed not to charge upon those I examined for the McClellan expedition.

Question. How came you to send the vessels wholly to Mr. Hall, in Baltimore?

Answer. Because he is an old acquaintance, and he told me that he was poor, was out of business—I don't know as he put the word "poor" to it—that government had his vessels, and he had nothing to do; and for any vessels I would send to him he would satisfy me, and for old acquaintance sake I sent it to him, not with a view of making money out of it at the time.

Question. It was not because he agreed to divide the profits with you, but on account of old acquaintance?

Answer. Yes, sir; I did not know whether I would get a dollar or anything else; it was merely a promise; it was no trouble to me, and I sent the boats.

Question. How long have you known him?

Answer. Off and on since 1821; since about the time I went to the South seas. He is a Connecticut man, and I am; we were near neighbors. Norwich is pretty near to Stonington. I can't say how long I have known him.

Question. Do you know anything about the Highland Light?

Answer. Yes, sir.

Question. Have you any interest in her?

Answer. Yes, sir.

Question. How much?

Answer. I don't remember.

Question. Is she on that list?

Answer. No, sir; she is not chartered. She is running here, but with no price set upon her charter.

Question. Is the government paying for her?

Answer. They are not.

Question. Have they agreed to?

Answer. No, sir; not yet.

Question. Who has charge of her—doing the business?

Answer. Captain Powers or Captain Acker.

Question. How came she to be in the employment of the government?

Answer. All I know about it is, I asked Captain Powers if the vessel was chartered; he said, no; but she was requested by Colonel Ingalls to be sent out here, and he would charter her. The Long Branch is in the same situation; in her I have an interest.

Question. Is she on the list?

Answer. No, sir; because she is not chartered.

Question. Is there any understanding or agreement as to the amount of pay that is to be allowed them?

Answer. Not that I know of.

Question. Who requested them to be sent out?

Answer. Colonel Ingalls.

Question. Who says so?

Answer. Captain Powers, the other owner. That is all that——

Question. In what way is the Highland Light employed?

Answer. She is running from here to Acquia creek.

Question. Where is the Long Branch employed?

Answer. The same.

Question. What is the tonnage of these vessels?

Answer. I cannot tell you, sir.

Question. What is their age?

Answer. I cannot tell you positively, sir.

Question. Did you ever examine them?

Answer. Yes, sir.

Question. When did you buy your interest in them?

Answer. Before they were put into the service of the government.

Question. When was that?

Answer. I think about three months since.

Question. Where were they when you bought them?

Answer. In New York.

Question. Did you see them?

Answer. I saw the Highland Light.

Question. Did you see the Long Branch?

Answer. I did not; I saw her here.

Question. You never saw her until you saw her here?

Answer. No, sir.

Question. You bought her without seeing her?

Answer. I bought her provided she was as good as represented. Then I examined her according to it here.

Question. You cannot remember the age, the tonnage, nor the dimensions of the Highland Light?

Answer. No, sir.

Question. Nor of the Long Branch?

Answer. No, sir; because it is a delicate thing to testify to a thing you have to be particular in.

Question. You do not know the compensation that either of them are receiving?

Answer. They are not receiving anything; that is the reason they are not on this list.

Question. They are in the employment of the government?

Answer. Yes, sir; but there is no agreement whether they shall have one hundred or five hundred dollars.

Question. Do you own anything in the City of Hudson?

Answer. No, sir; I have no interest in her.

Question. Of whom did you buy your interest in the Highland Light and the Long Branch?

Answer. I bought them of Mr. Martin and Mr. Powers.

Question. What is the extent of your interest?

Answer. I think it is one-sixth of the Highland Light, and one-eighth of the Long Branch.

Question. How much do you own in the Monitor?

Answer. One-third.

Question. Who did you buy it of?

Answer. Of Captain Powers, before she was finished, while she was building.

Question. How large a vessel is she?

Answer. She is about 300 tons. I had nothing to do with her charter to government. I made a proposition for her, and for the Secor, and for the Swan, to go to Hilton Head, which is before General Meigs. My proposition is there to show that I am not ashamed to show what my interest is, and that I am managing one of these vessels, the Monitor.

Question. Do you hold any interest, in your name, as trustee in any vessel of any description, directly or indirectly, for the benefit of another person?

Answer. No, sir, I do not; unless it is for my heirs, whoever they may be.

Question. Have you any interest in the ice-boat that has been lately sent around here to the Potomac from New York?

Answer. Only as far as the government is concerned.

Question. How are you interested in her?

Answer. I was in Colonel Ingall's office when he received a despatch from Washington to send immediately a powerful tug-boat for the breaking of the ice in the Potomac.

Question. Whom did that despatch come from?

Answer. Colonel Rucker. He asked me if I knew of such a boat that would answer. There was none in Philadelphia. I told him I knew of one; it was the Cecil.

Question. When was that despatch sent?

Answer. About a month since. I told him I knew of the Cecil in New York. I pulled out my book, and named over the different boats, and I said that the Cecil, which we had in the McClellan expedition, for which she was paid $200 a day, was the best boat that we had, and that I thought I could get her. He asked me to telegraph to her owner, and he telegraphed to Colonel Crosman. I telegraphed to the owner, and he telegraphed that she was coaled all ready to start, with enough to last her, and could leave at once. He then telegraphed to

Major Van Vliet to examine the boat, and if she was all right to send her, and she was sent.

Question. Did you get any percentage on her?

Answer. No, sir, not one cent. I acted then to assist the government.

Question. You had no interest in her?

Answer. No, sir.

Question. What do you know of the John Brooks?

Answer. Here she is on this list.

Question. You are interested in her?

Answer. Yes, sir, I am. She is about 1,000 tons. She is chartered to the government for a particular service.

Question. What is the service?

Answer. She was chartered, and a heavy expense put on her, ironed for breaking up this river; but, as they do almost everything to suit themselves, when she got as far as Fortress Monroe, they turned away down to Beaufort. She had in the McClellan expedition $800 a day. I knew her well—a fine boat. I had been to work for six months to buy into her. I believe I have one-fourth interest. She is chartered now at $100 less—$700, I think. She was got to break this ice at $700. I told them I would not sanction her charter at more than $700 for breaking ice or anything else, although we have vessels in the government service at $800 or $900 that are not worth as much money as she is. Now, I have twelve or fourteen propellers that I own one-half or one-fourth in that are not in the government service; but if I can put them in at a fair price to government I will charter them; if not, they can lie until spring. Then we can make as much money with them in our regular business as we can make out of government.

Question. Have you chartered any vessels of Anthony Groves, junior?

Answer. Yes, sir, I took them. That was in the forepart of the war; that was about April 20.

Question. Did you get any per cent. on those vessels?

Answer. Not as government agent.

Question. Did you as anybody's agent?

Answer. No, sir. I collected the bills afterwards, and took five per cent. They were only chartered for one month. The time was out; after that I had no commission on them at all. There was no money during the whole time I acted as agent of the government under Mr. Thompson; I did not handle any.

Question How much did your percentage amount to that you collected of Mr. Groves, jr., as president of his company?

Answer. I do not know.

Question. How much do you suppose it was?

Answer. Well, it might have been three or five thousand dollars.

Question. Was it not five thousand dollars?

Answer. I don't know. I kept no account of it. I keep no cash account whatever, and have not for fifteen years. I make my bank keep my cash account, sir. Everything goes into one heap.

Question. Do you still collect money for Mr. Groves?

Answer. No, sir, I have not since the McClellan expedition. I told him I could not collect for him. He has come to me repeatedly and begged me to do it. I told him I could not and would not do it.

Question. Does the list you have submitted include all the vessels that you have chartered?

Answer. Your direction to me was to bring a list of all vessels chartered to the government that I have an interest in. I have gone further than that, and have brought you a list of all I have done business for.

Question. Does this include all that you do business for to-day?

Answer. Yes, sir.

Question. You have chartered a great many in which your interest has ceased?

Answer. No, sir, my interest is still in the Philadelphia Steam Propeller Company.

Question. You have had an interest in a great many vessels that have now ceased to be in the government employment?

Answer. Yes, sir. I believe that, out of the twelve that I am interested in as a stockholder of the steam propeller company, or individually, only two have ever been employed in the government service.

Question. How many vessels have you chartered for the government service in Philadelphia that are now out of employment as government vessels?

Answer. I cannot answer that question, because I do not know.

Question. Were there a great many vessels of that description?

Answer. Yes, sir, if you take in Mr. Groves's.

Question. Take them all in. So long as they were in the employment of the government you were interested in the five per cent. you were getting?

Answer. I was interested in collecting the money, but I do not calculate that I have an interest in a vessel without I own in her.

Question. Is not your interest just as distinct and defined, if you own a part of her charter-party, as though you owned a part of the vessel?

Answer. No, sir.

Question. You get five per cent. on her earnings under the charter-party?

Answer. I do not look at it in that way. I was afraid you would construe it in that way, and I brought both lists.

Question. I desire a list of these on which you received five per cent. in addition to these.

Answer. Well, sir, I will furnish it to you.

Question. Does this list embrace those you are now doing business for?

Answer. Yes, sir.

Question. And upon which you are receiving five per cent.?

Answer. Yes, sir.

Question. There is a large number upon which you have been receiving five per cent.?

Answer. Yes, sir.

Question. Here are vessels owned by the company of which you are president?

Answer. Yes, sir.

Question. The stock of that company is $340,000?

Answer. Yes, sir—$340,000.

Question. You are president, and have the entire control?

Answer. Yes, sir.

Question. You own about one-third of its stock?

Answer. I do not think I own that much.

Question. What was the last dividend declared by your company?

Answer. Fifty per cent.

Question. How much was the reserve fund kept back?

Answer. About $8,000.

Question. Was there not more than that?

Answer. I think not.

Question. How much was there, not on hand, but due from the government from charter-parties, and other bills receivable? In other words, how much did the government owe the company at that time?

Answer. I should think the government owed the company at that time about $20,000.

Question. No more?

Answer No, sir; that is independent of the vessel we lost at Hatteras; she was worth about $2,500; our officers gave her up to the secessionists, and General Burnside, when he got down there, destroyed her.

Question. What salary do you get from the company?

Answer. I don't get such a heavy salary; I get $2,000 a year—that is all. I make my own price.

Question. That is paid, and then you own one-third of the stock?

Answer. I do not own one-third.

Question. Is it not pretty near it?

Answer. I don't think it is; I think I own $61,000 of the stock.

Question. Have you parted with some of your stock lately?

Answer. I have parted with some—I think $10,000 of my stock; I think it was in August.

Question. Do you own any of the stock of that company, as trustee, or for the benefit of anybody else?

Answer. Not a dollar, unless it is for my heirs. I would like to make a statement; the Philadelphia Steamer Propeller Company's charters, which were for four boats—the Sophia, Planet, Josephine, and Sparks—were out in October, 1861. I wanted our boats; our business had increased; we wanted the boats for our own use; we could make more money out of them in our own business than government was paying for them. I applied for their discharge, and the government was not willing to discharge them, but wanted me to name a price at which I would let them have them. I, Yankee like, wanted to know the most they would give me; they turned to the books and examined to see what they were worth, in proportion to what other vessels carried cargoes for, and they told me they would give me $450 a day for my boats.

Question. Who told you that?

Answer. The agent of the government, C. H. Haswell, examiner for the quartermaster at New York. I told him to give it to me in writing, and I was going to Washington, and I would see if they could not get along without the boats. I wanted to show that I was acting for the government as well as myself. I went to Mr. Tucker, and showed him the writing. He asked what I was going to do. I told him I was not going to let them have them even at that price. Says he, "you are crazy." But, says I, "Mr. Tucker, I will tell you what I will do; they shall have them for $150 a day. It is coming on winter; I have to pay 2½ per cent. insurance, as they are running outside to sea; they shall have them at $150 a day; I put on five dollars a day for extra insurance." And there those boats have been ever since, at that price, when boats just like them—not so good, that cannot carry their cargoes—are receiving $400 a day. I will name the boats—the Dudley, Buck, and the A. C. Collins.

Question. Who chartered the Buck and Collins?

Answer. The same party—Colonel Tompkins, in New York.

Question. Do you know of whom he chartered them?

Answer. No, sir; they have been there ever since. I don't know who are the owners.

Question. Are they still in government employment?

Answer. They are, I believe, but the General Meigs and General Burnside, for which we charge $300 a day, were worth as much, and they are ordered there to take their places.

Question. What are those vessels used for in New York?

Answer. To run to Beaufort and Hatteras, and such places.

Question. Are you still receiving $150 a day for the vessels you named?

Answer. When spring opened their charter was out, and I rechartered them at $145 a day, and they are running now at that; I did not even put on the insurance this winter; I was satisfied with what I was making.

Question. Did you see Mr. Hall when Mr. Tucker sent for you to come on here to the War Department, about the McClellan expedition?

Answer. No, sir.

Question. You did not meet him until you met him at Annapolis?

Answer. That at Annapolis was long before the McClellan expedition; it was at the time of the Burnside expedition.

Question. When did you first see Mr. Hall about transportation? Was it at the War Department, or at Annapolis?

Answer. I did not see Mr. Hall, to my knowledge; I might have seen him, but I don't think I saw him to speak to him about the McClellan expedition until after it was over; I might, but I don't remember it.

Question. Did you speak to him about the Burnside expedition?

Answer. Yes, sir.

Question. When did you first see Mr. Hall in reference to procuring transports?

Answer. When he came down to Annapolis.

Question. Was that before the Burnside expedition?

Answer. No, sir; that was when the Burnside expedition was in

full force; it was all got up then, and the vessels were there ready to go. He came down to see me to see if he could not charter a couple of tugs; I chartered them; he said he owned them.

Question. Was that the time you made the arrangement by which he was to divide with you?

Answer. No, sir.

Question. Was that after that?

Answer. It might have been—well, I think it was a month after the Burnside expedition was got up.

Question. Was it before the McClellan expedition?

Answer. Yes, sir; before it was thought of.

Question. Was your arrangement with him a general one, or did it apply to any particular expedition?

Answer. He said, "Captain Loper, I am getting up a good many vessels for government; I will assist in taking up vessels," I think he said, "for Colonel Belger, and any good steamers or boats that you will send to me, I will take up, if I can take them up at a fair rate, and I will satisfy you for it." That, to the best of my knowledge and belief, was all that passed between us; and I must say that I got a good deal more money than I expected.

Question. There was no agreement as to any specific sum?

Answer. No, sir; nothing of the kind.

Question. Not that you should divide equally?

Answer. No, sir.

Question. You sent to him a good many vessels?

Answer. Yes, sir; a good many.

Question. What persons did you send?

Answer. I spoke to McCready and Mott; they have vessels running here constantly which they are agents for.

Question. Who else did you send?

Answer. I think I have sent Mr. Flanagan, of Philadelphia, to him. I spoke to a great many captains.

Question. Does Mr. Flanagan have schooners and sailing vessels?

Answer. No, sir; he owns a great many steam-tugs.

Question. Why did you not charter them?

Answer. I did not want them; I could not charter a vessel unless I knew that government wanted one; then I could examine them and recommend them to the quartermaster, or to Mr. Tucker, who had authority for chartering them. I do not consider—I say on my oath—I do not consider that I have received one dollar for chartering a vessel for government; I have received it for doing the business.

Question. Your percentage in the aggregate that you have received for advancing and collecting the amount due on charter-parties has been as great as your percentage for your brokerage?

Answer. Yes, sir.

Question. More?

Answer. Yes, sir.

Question. What proportion do you suppose your percentage as brokerage would bear to the aggregate amount that you have received for advancing and collecting money?

Answer. I never received anything in any other way than for ad-

vancing and collecting—not a dollar; I never have charged anything for interest in any case except that of Captain Whilldin.

Question. You have charged for advancing and collecting?

Answer. I have charged for advancing and collecting five per cent—only five per cent.

Question. In some instances have you not charged more?

Answer. No, sir; not one, with the exception of Captain Whilldin; I did not charge that; he gave it to me; that arrangement with Captain Whilldin was two or three months after the vessels were chartered.

Question. In no other instance than Captain Whilldin's?

Answer. Not that I remember of.

Question. If you had done it, would you have remembered it?

Answer. I think I should, sir.

Question. In addition to the commission, do you not get about five per cent. for advancing and collecting?

Answer. No, sir; the five per cent. includes everything, except in the case of Captain Whilldin; I did not charge one cent for advancing or interest. For Mr. Williams, of the steamer Patapsco, I advanced $75,000 for three months.

Question. You have received five per cent. from Mr. Reybold?

Answer. Yes, sir.

Question. And Captain Whilldin?

Answer. Yes sir.

Question. And Mr. Groves?

Answer. I have received five per cent from Mr. Whilldin, Mr. Flanagan, Mr. Reybold, Mr. Groves, and from Mr. Clyde, for part of his vessels. I gave up his charters last July.

Question. Do you know any person who has chartered any vessel to the government or for the government, either directly or indirectly, and received any larger per cent out of the charter-party or earnings of the vessel than five per cent?

Answer. Yes, sir, I have, in the case of Captain Whilldin only.

Question. I am not speaking of you, but of other people. Do you know of anybody else who has done it?

Answer. I do not know it. There are rumors, you know, all around, but I do not know it.

Question. Do you know any one who has chartered vessels for the government at a stated price per day or per month, and received a part of that price himself?

Answer. I do not, sir. I do not know positively, sir, but there are cases where an individual charters a vessel and then turns around and recharters it to the government. I have heard of cases of that kind.

R. F. LOPER.

WASHINGTON, *Saturday, Jan.* 31, 1863.

RICHARD F. LOPER, recalled, testified further as follows:

Examined by the chairman.

Question. Do you know John F. Pickrell, of Baltimore?

Answer. I do not, sir.

Question. You never had any business relations with him?

Answer. Not that I know of.

Question. This list presented by you, marked A, purporting to be a list of "steamers recommended for charter, for the use of the expedition under command of Major General McClellan, U. S. A." is a true list of vessels inspected and recommended by you?

Answer. Yes, sir; and for which I never received any commission.

Question. Do you say that it embraces all that you examined?

Answer. No, sir; I cannot say that I remember them all.

Question. Can you now furnish the committee a list of the vessels now in the employment of the government, or that have been in the employment of the government since the insurrection began, owned in whole or in part by you?

Answer. I believe I submitted such a list when I gave my previous testimony. I was asked if I held any vessels chartered to government in trust for the benefit of anybody else, and I answered that I did not. I desire to modify that, by saying that I do hold one-third of the stock of the New York Express Steamboat Company in trust, for the benefit of the Philadelphia Steam Propeller Company; and I hold $10,000 of the stock of the Philadelphia Steam Propeller Company, for the benefit of the Philadelphia Steam Propeller Company.

Question. Does the list submitted by you, which is embraced in your previous testimony, contain all the vessels now in the employment of the government, or that have been in its employment since the commencement of the present rebellion, in which you are interested as owner, or part owner?

Answer. Yes, sir; with the exception of the Fanny, which was captured by the rebels in the early part of the war.

Question. Have you any interest in the City of Hudson?

Answer. No, sir; nor never had.

Question. Have you any in the Highland Light?

Answer. Yes, sir. I said in my previous testimony that I bought her of Captain Powers, but it appears by the bill of sale, which I have here, that I bought her of Captain J. Milton Martin.

Question. Is there a vessel called the Island Light?

Answer. I believe there is.

Question. Have you any interest in her?

Answer. No, sir.

Question. Have you any interest in the Monitor?

Answer. Yes, sir; I own one-sixth of her.

Question. Do you know anything about the steamer Telegraph?

Answer. No, sir; I never saw her, unless it is the old Telegraph that used to belong to Captain Whilldin.

Question. She belongs to a man named Coblens?

Answer. I do not know about that, unless he bought her of Captain Whilldin. I think likely it is her. She has not been owned in Philadelphia for eight or nine years.

Question. Do you know anything about her value?

Answer. No, sir; it has been so long?

Question. Do you know about the Baltimore?

Answer. Yes, sir; the propeller Baltimore; I examined her at Alexandria, to rate her for troops.

Question. What was the character of the Baltimore?

Answer. I should think she was a vessel worth about $25,000 to $30,000. I should think she was of about 300 to 320 tons, speaking from memory.

Question. What interest had you in the Patapsco?

Answer. None whatever; only to do her business; to collect for her. But the Patapsco mentioned in my list, and that I now allude to, is a steamship of about 450 tons, and not the tug Patapsco at Baltimore.

I will certify, without fear of contradiction, that the steamers belonging to the Philadelphia Steam Propeller Company, owned in part by me, and all the steamers I have examined and reported and collected their charter-money, and for which I have received a commission, are all chartered at an average price of twenty-five per cent. less than other steamers of the same tonnage chartered by the government since the war or this ungrateful rebellion commenced.

The lists, A, B, and C, alluded to, are as follows:

A.

ners recommended for charter for the use of the expedition under command of Major General McClellan, United States army.

ame of vessel.	Tons.	Terms of charter.	Name of vessel.	Tons.	Terms of charter.
		Per diem			*Per diem.*
.....steamer.	675	$350 00	Catskill.....steamer.	.....	$400 00
Green .....do....	281	150 00	North America ..do....	.....	375 00
.....do....	160	110 00	Hero .....do....	.....	325 00
rner.....do....	160	110 00	C. Vanderbilt....do....	.....	800 00
Thompson ..do....	200	100 00	Commodore .....do....	.....	800 00
lin.....do....	170	100 00	Champion.....do....	.....	200 00
r .....do....	185	100 00	John Tracy.....do....	.....	140 00
n .....do....	173	100 00	Flushing.....do....	.....	350 00
eth .....do....	245	140 00	Knickerbocker ..do....	650	700 00
lling .....do....	232	140 00	J. B. Arrowsmith.do....	448	500 00
ra .....do....	237	140 00	State of Maine...do....	500	600 00
are .....do....	.....	115 00	Canonicus.....do....	.....	375 00
n .....do....	.....	115 00	Taminend.....do....	.....	300 00
a .....do....	.....	115 00	Metamora.....do....	.....	.....
m.....do....	.....	150 00	Saturn .....do....	217	100 00
nia .....do....	.....	130 00	West End.....do....	145	100 00
es.....do....	.....	300 00	Windrop .....do....	175	100 00
r .....do....	557	250 00	J. H. Lewis .....do....	.....	110 00
Bowman...do....	.....	175 00	John Brooks.....do....	975	800 00
.....do....	150	75 00	Elm City .....do....	.....	700 00
White .....do....	.....	50 00	South America ..do....	.....	700 00
Diviney ....do....	.....	120 00	Donalson .....do....	250	250 00
in .....do....	.....	50 00	J. Fawn .....do....	250	400 00
ca .....do....	356	225 00	Maryland .....do....	336	200 00
Starr .....do....	72	65 00	Croton.....do....	400	215 00
ight.....do....	.....	50 00	Bushwick .....do....	174	125 00
ris .....do....	.....	300 00	Daniel Webster..do....	100	600 00
ic .....do....	300	200 00	Long Branch ....do....	.....	325 00
es.....do....	.....	200 00	W. Kent.....do....	411	700 00
s .....do....	.....	200 00	W. Hunt.....do....	104	60 00
l.....do....	.....	200 00	Agnes .....do....	125	175 00
r .....do....	115	70 00	Ocean Wave.....do....	.....	.....
er.....do....	.....	60 00	Massasoit .....do....	.....	.....
teer.....do....	.....	60 00	Quassoit .....do....	.....	.....
raff .....do....	.....	60 00	Haze .....do....	.....	.....
nickon .....do....	.....	60 00	Island City.....do....	.....	.....
bec .....do....	480	450 00	Massachusetts ...do....	.....	.....
u .....do....	260	160 00	Arrow .....do....	.....	.....
.....do....	.....	240 00	Peter G. Coffin ..do....	.....	.....
Warner.....do....	.....	300 00	Isaac P. Smith...do....	.....	.....
n Gate.....do....	.....	200 00	New Haven.....do....	.....	.....

rtify that to the best of my knowledge and belief all the above and within named s were examined or recommended by me to "Captain H. C. Hodges, assistant quarter-r, United States army, and Mr. Tucker," for charter, and that no commissions were d.

B.

List of vessels chartered at Annapolis, Md., for the "Burnside expedition," and for which no commissions were charged.

Name of vessel.	Tons.	Terms of charter.	Name of vessel.	Tons.	Terms of charter.
		Per month.			*Per month.*
Col. Satterly...schooner.	225	$1,000 00	J. A. Wright..schooner.	190	$850 00
G. H. Hoyt .....do....	169	762 50	Priscilla .....do....	145	750 00
D. W. Vaughan...do....	254	950 00	R. C. Stanard....do....	123	600 00
Isaac Hinkley ....do....	221	900 00			*Per diem.*
Moses G. Leonard.do....	225	900 00	Horace E. Brown.do....	194	40 00
S. A. Falconer....do....	150	760 00	Lamot Dupont...do....	194	35 00
James T. Brady...do....	252	975 00	Tempest* ...steam-tug.	86	80 00
N. S. Rue.....do....	140	750 00	James Murray*..do....	75	75 00
G B. Smith.....do....	216	900 00	E. H. Herbert*..do....	110	80 00
E. W. Farrington.do....	210	900 00	J. P. Levy*.....do....	59	75 00
J. W. Lindsey....do....	216	875 00	Alert* .....do....	67	75 00
J. H. Hoyt.....do....	244	940 00	Alida* .....do....	77	75 00
F. French.....do....	168	762 00	Champion* .....do....	57	75 00
Alabama.....do....	200	850 00	Louisiana* ....steamer.	1,200	800 00
Henry Cole.....do....	200	850 00	Pocahontas* ....do....	612	550 00

* Chartered by John Tucker, esq.

List of vessels chartered in New York by orders from General Burnside, for the use of his expedition.

Name of vessel.	Tons.	Terms of charter.	Name of vessel.	Tons.	Terms of charter.
		Per month.			*Per diem.*
Ama* .....bark...	450	$1,000 00	New York*....steamer.	1,000	$600 00
Mary H. Banks*schooner.	237	1,000 00	Eastern Queen*..do....	700	500 00
F. Bird*.....do....	190	800 00	New Brunswick*.do....	850	950 00
Spencer D*.....do....	145	887 25			
John Lenthal*....do....	159	760 00			

* Chartered by John Tucker, esq.

All of the within and above named vessels were recommended by me to the "Hon. John Tucker," and for which no commissions were charged the owners by me.

C.

essels chartered whilst I was acting as assistant transport agent of the States War Department, under orders from J. Edgar Thomson, esq., e exception of those named in my former list, April, 1861.

of vessel.	Tons.	Terms of charter.	Name of vessel.	Tons	Terms of charter.
		Per diem.			*Per diem.*
lling..steamer.	232	$150 00	W. Woodward.steamer.	275	$150 00
river...do....	222	150 00	Elizabeth .....do....	245	150 00
.....do....	228	150 00	Octorora .....do....	237	150 00
ia.....do....	172	135 00	F. W. Brune ....do....	237	150 00
r.....do....	149	100 00	Reindeer.....do....	40	66 00
nson....do....	170	100 00	Wissahickon.....do....	40	66 00
.....do...	173	100 00	Oneida.....barge..	132	30 00
.....do....	158	135 00	Middlesex.....do....	124	30 00
lader ...do....	218	150 00			

time the above vessels were taken into service there was no agreement as regards to be paid for their services. About two weeks after they were taken the price d upon by Messrs. J. Edgar Thomson, United States transport agent, S. M. Felton, myself, and I was empowered by Mr. Thomson to act as his assistant and sign the No arrangements were made for me to collect the charter-money for any of the sels until long after I ceased to be or act as agent for Mr. Thomson or as agent for d States War Department.

tion. Under what authority did you act in procuring the ves- the Burnside expedition?

er. Under the authority of Mr. John Tucker, a copy of which ty I now present to you, as follows:

PHILADELPHIA, *December* 26, 1861.

SIR: I am requested by General A. E. Burnside (by telegraph) to to go at once to Annapolis. You will oblige me by doing so, and by im in any way he may desire.

Yours, very respectfully,

JOHN TUCKER.

in R. F. LOPER.

equently I received the following communication from General le, showing that I had satisfactorily performed the duty as- me:

ANNAPOLIS, *January* 7, 1862.

SIR: I beg leave to express to you my hearty appreciation of the ser- ndered me in the fitting out of the expedition under my command by R. F. Loper. The interest and zeal manifested by this gentleman in k has been constant and untiring, and he has in every instance fully d every demand made upon his skill and his patience. I most cheer- knowledge my obligations to him, and take great pleasure in recom-

mending him as a competent and efficient man, whose efficiency and mature judgment cannot fail to be of great service in any case of emergency.

Yours, very truly,

A. E. BURNSIDE, *Brigadier General.*

Hon. SIMON CAMERON,
Secretary of War, Washington.

Question. Under what authority did you act in procuring the first transports that you chartered?

Answer. Under the authority of J. Edgar Thomson, the appointment from whom is herewith submitted. I obtained this certified copy from the quartermaster's department, as appears by the certificate of the quartermaster, Major Sibley. I also submit a copy of a letter from J. Edgar Thomson, of May 8, when Mr. John Tucker was appointed United States transportation agent, and my special agency ceased, and a letter from Mr. Thomson and Mr. Felton, of May 11, as to the manner of discharging my duties. I also ask permission to submit, in connexion with my testimony, as to my action in aiding to embark General McClellan's expedition, a letter from Colonel Ingalls, of April 2, 1862, touching that subject. They are as follows:

OFFICE PENNSYLVANIA RAILROAD COMPANY,
Philadelphia, April 20, 1861.

DEAR SIR: In accordance with the authority vested in me by the Secretary of War, I hereby appoint you my assistant, to arrange for steamers for the transport of troops between Philadelphia or Perryville and Annapolis, and to coal and provision the same.

Yours, truly,

J. EDGAR THOMSON.

Captain R. F. LOPER, *Philadelphia.*

A true copy.

E. S. SIBLEY,
Major and Acting Quartermaster.

OFFICE PENNSYLVANIA RAILROAD COMPANY,
Philadelphia, May 8, 1861.

DEAR SIR: Your letter of this date is received. I have been informed by the Secretary of War that he has appointed John Tucker, esq., United States transport agent. I would be obliged to you, therefore, if you would make up a statement of your operations in that department up to the 10th instant, while acting in that capacity under a temporary appointment from me, and submit the same to Mr. Felton and myself at your earliest convenience.

Yours, very truly,

J. EDGAR THOMSON,
Special Agent of the Secretary of War.

Captain R. F. LOPER,
Acting United States Transport Agent.

PHILADELPHIA, WILMINGTON AND BALTIMORE RAILROAD COMPANY,
Philadelphia, May 11, 1861.

SIR: We take great pleasure in saying that Captain R. F. Loper, of this city, has been untiring in his efforts to serve the country in this trying emergency when Washington was in danger; about and immediately after April 20 we sent for

him to aid us in the procuring of boats and transports between Perryville and Annapolis. He cheerfully devoted himself entirely to the service of the government, and rendered us a most valuable service in procuring coaling and provisioning such boats as were required. From his familiarity with this business, and his untiring energy, the government have derived most efficient aid in its hour of need.

Yours truly,

S. M. FELTON.
J. EDGAR THOMSON,
Special Agent of the United States War Department.

Hon. SIMON CAMERON,
Secretary of War.

ALEXANDRIA, *April* 2, 1862.

MY DEAR FRIEND: I have now transferred my vessels to Colonel Rucker and Lieutenant Ferguson, and shall leave this evening. Both these officers greatly desire your assistance until General McDowell's command has embarked. I trust you will add to existing obligations a few days more of your valuable counsel and personal supervision.

In making this request, I claim it as a cheerful duty to express to you how profoundly sensible I am of your generous aid to me. I hardly know what I could have done without you, while with your assistance we have so far achieved an unparalleled success in the embarkation of troops. I hope Colonel Rucker will have as good fortune. I hope to see you *again and again* for long years to come, and fervently trust your days will be long here, where your abilities, kindheartedness, and charities are so well appreciated. Let us both have faith to believe and expect that peace and prosperity will soon be restored to our afflicted country. Visit us when you can, and let me hear from you at your leisure.

In haste, yours truly,

RUFUS INGALLS,
Lieutenant Colonel, Aide-de-Camp.

Captain R. F. LOPER, *Willards'*.

Question. In your list, marked B, I find several steamers named, with the prices at which they were chartered, and their tonnage, and opposite to each written. "Chartered by John Tucker, esq." Had you anything to do with them?

Answer. I simply examined them, and recommended them.

Question. In examining them and reporting them, did you recommend the prices to be paid?

Answer. Not unless I was asked to by Mr. Tucker what they were worth. In that case I always recommended.

Question. Were you asked?

Answer. Yes, sir, very often.

Question. Were you always asked in regard to these vessels?

Answer. I think there are very few exceptions, sir.

Question. Did you think the steam-tug James Murray, of 75 tons, worth $75 a day?

Answer. Yes, sir, considering that she had to go to sea to Hatteras inlet. If she had been chartered to run in here, $45 or $50 would have been a big price.

Question. The J. P. Levy, also of 59 tons, was chartered also at $75 a month?

Answer. She was chartered here and sent down there. They were all chartered by Mr. Tucker at Philadelphia, and by request of General Burnside sent down to Annapolis.

Question. Did you determine the value of them?

Answer. No, sir.

Question. The Champion, of $57\frac{3}{95}$ tons, is chartered at $75 a day?

Answer. She was chartered at Baltimore. I had nothing to do with it.

Question. The Louisiana, at $800—did you inspect her?

Answer. No, sir; she was chartered at Baltimore. Mr. Brant came down and chartered her to General Burnside, himself, at Annapolis.

Question. Was she chartered direct to General Burnside without inspection?

Answer. Yes, sir, and sent down from Baltimore direct.

Question. The Pocahontas, 612 tons, at $550?

Answer. She came down with a load of hay and truck from Baltimore. I examined her. General Burnside wanted her. I reported unfavorably. She was an old boat. He told me he only wanted her for horses; an accident had happened to the steamer Suwanee's boiler, and he wanted this vessel to take her place, and he said he would take her, as he only had horses to send. I had nothing to do with the prices. When I say "chartered by Mr. John Tucker," I mean that he executed the charter recommended by General Burnside to Mr. Tucker. Mr. Tucker had orders from Mr. Cameron to do everything that General Burnside wanted.

Question. Did Mr. Tucker sign the charter?

Answer. He did. I never signed a charter at Annapolis, unless it was the one to a vessel just as she was going away, when she wanted something to show that she was chartered. I signed that, and the balance were signed by Mr. Tucker. There were five copies of each charter to be signed—two to be sent here, one for the Treasury Department, and one for the War Department; Mr. Tucker kept one copy, and the vessel another.

Question. Had Mr. Tucker at that time any rule as to the amount that he would pay per ton for sailing vessels?

Answer. I believe he had.

Question. What was it?

Answer. I think it was $3 75 to $4 per ton per month.

Question. I find on this list the bark Anna, of 450 tons, at $1,000 a month.

Answer. Yes, sir; she was to take troops for General Burnside.

Question. The schooner Mary H. Banks, of 237 tons, is chartered at $1,000 a month?

Answer. Yes, sir.

Question. How happens it that a schooner of 237 tons is paid as much as a bark of 450 tons?

Answer. It was a very singular thing. That bark would not carry the cargo that the schooner would. The schooner was a vessel

with a "centre-board" and of light draught, such as was wanted, as I knew. I was the only one, I believe, outside of the administration, that knew where General Burnside was going. General Burnside had got more than two-thirds of his vessels before Mr. Tucker went on. I stepped in to assist him. I will go aboard of two vessels to-day, if I want to send her around to Hatteras, and if one is a centre-board schooner of 125 tons, and another is a bark of 225 tons, I will pronounce the schooner of 125 tons the best. A vessel with a centre-board has no keel.

Question. The Spencer, of 145 tons, is at $887 25 per month?

Answer. She would not draw over five and a half feet water. She was loaded with lumber.

Question. Did you inspect the steamer New Brunswick?

Answer. No, sir; she was in Boston.

Question. Was she not chartered by Mr. Tucker for this expedition?

Answer. She was chartered from Boston.

Question. Where was he?

Answer. He might have been in Boston then. He was there at one time.

Question. Did you inspect the steamer New York?

Answer. No, sir; she was in Boston.

Question. The steamer Eastern Queen?

Answer. No, sir.

Question. What have those to do in your list, if you did not inspect them and have no interest in them?

Answer. I recommended the charters, for they were good vessels.

Question. You never saw them?

Answer. I saw them, and inspected them here; but not before they were chartered.

Question. Have you any interest in the vessels in list C, chartered at the instance of J. Edgar Thomson?

Answer. Through the Propeller Co., that is all; only as a stockholder in the Philadelphia Propeller Co. They were not chartered; they were taken. They were chartered afterwards, and the charter-parties dated back.

Question. Was the amount received by any vessel in this list larger than the amount here placed opposite the name?

Answer. The highest, I believe, that we ever had for the Steam Propeller Co., for the Thomas Sparks, a large boat, I think, was $175 at first; then we came down to $150, and then to $145.

Question. Was $175 the highest amount that you received for the Thomas Sparks?

Answer. Yes, sir; I believe so.

Question. In this table you place $145 opposite her name?

Answer. It was reduced at the end of the month, I think, sir. She was only chartered for a month. I guess it was soon after Mr. Thomson came in.

Question. What did you get for the Sophia?

Answer. I believe $150.

Question. The Planet?

Answer. The same, I believe.

Question. The Josephine?

Answer. Well, $150 or $160; for the last year we have got $145.

Question. The Colonel Rucker—what was the highest you received for her?

Answer. $145. She is a bran-new boat, only six months old.

Question. The L. Y. Cannon?

Answer. I think $130.

Question. The Belger?

Answer. That was $130. Those are bran-new boats.

Question. The Novelty?

Answer. $125 or $130.

Question. The H. Burden?

Answer. I believe $125 or $130.

Question. The Sarah?

Answer. $125, to the best of my knowledge.

Question. The Black Diamond?

Answer. $140.

Question. The Ironsides?

Answer. $140.

Question. The Ann Eliza?

Answer. She is from the New York Express Steamboat Company. I believe it was $130.

Question. The Alida?

Answer. I do not know. I did not charter them. I recommended them. Mr. Tucker chartered them. I believe it was $125 or $130.

Question. The Bristol?

Answer. She is of the New York Express Company. I had no commission on them.

Question. Were you one of the stockholders of that company?

Answer. Yes, sir. The Black Diamond, Ironsides, &c., were chartered for only ten days.

Question. What was the Beverly chartered for?

Answer. I don't know. She ought to be $130 to $135.

Question. Do you remember the amount of the charter-party of the steamer New York, in which you are interested?

Answer. She is $600. She is a 1,000 ton ship. She is worth more, a good deal, than the Louisiana.

Question. The J. Brooks?

Answer. She is $700; and she is there at $100 less than when in the McClellan expedition.

Question. The Diamond State—what did you get for her?

Answer. I believe $200.

Question. The Charles Osgood?

Answer. I believe she gets $250. She is chartered, but I did not charter her.

Question. The Quinnebaug?

Answer. I think $250; but I did not charter her, I think.

Question. The Shetucket?

Answer. She is the same. The Decatur ought to be down on that list. I just thought of her.

Question. Are you part owner of her?

Answer. Yes, sir. I recommended her. She was chartered by General Van Vliet. She is the same size as the Osgood. She is at $150. She is 330-odd tons. I think I should state one thing here, in justice to Commodore Vanderbilt, who chartered the steamers for the Banks expedition. The steamers Quinnebaug, Shetucket, Osgood, and Decatur, were, after their charter for the McClellan expedition had expired, rechartered by him for the Banks expedition at higher prices than before; but that was owing to the fact of their having had another deck put on them—in fact, of their having been rebuilt in the meantime. I think that should be stated, in justice to Commodore Vanderbilt.

R. F. LOPER.

WASHINGTON, *Thursday, January* 15, 1863.

Brigadier General MONTGOMERY C. MEIGS, being duly sworn, testified as follows:

Examined by

Question. State your rank and duty.

Answer. I am quartermaster general of the United States.

Question. State, if you please, when you commenced employing transports for the service of the quartermaster's department during the present war.

Answer. I think I entered upon my duties on the 13th of June, 1861, and from that time the general direction of the quartermaster's department has rested with me. The employment of transports, for the movements of troops and supplies, is almost constant.

Question. Through whom have the charters been principally effected?

Answer. Through the officers of the quartermaster's department and the Assistant Secretary of War, Mr. John Tucker. Before Mr. Stanton became Secretary of War, while Mr. Cameron was still Secretary, Mr. Tucker was employed by him as an agent, and made many charters. He became Assistant Secretary shortly after Mr. Stanton took charge of the War Department, and has assisted in this business since.

Question. Through whom, or what agent of the War Department, were the transports for what is known as the Port Royal expedition principally secured by the government?

Answer. I think they were principally secured through Captain Saxton. He was the quartermaster placed on duty as chief quartermaster of the expedition. It is possible that Mr. Tucker may have had some connexion with them. My memory does not serve me as to that.

Question. Who had the charge of procuring transportation for what is known as the Burnside expedition?

Answer. That was placed under General Burnside's own direction, and Captain Biggs, of the quartermaster's department, was detailed as his chief quartermaster. I think that, in that expedition, Mr. Tucker chartered some of the vessels.

Question. Who had charge of fitting out, and through whom were the charters effected, for what is known as the McClellan expedition?

Answer. The greater number were chartered by Mr. Tucker, with whom was, as assistant, Captain Hodges, of the quartermaster's department.

Question. How came Captain Hodges to be associated with Mr. Tucker? By whose direction, and for what purpose, were they associated?

Answer. The Secretary of War directed me to send an officer with Mr. Tucker to charter vessels for the purpose of carrying an expedition, under General McClellan, from Annapolis to the peninsula.

Question. What had Captain Hodges to do with effecting those charters? Was he merely employed to sign the charter-parties, for the purpose of giving an official character to them, or did he exercise his discretion in selecting the vessels to be chartered?

Answer. The Secretary informed me that he desired that the charters should be executed by an officer of the quartermaster's department, and he also desired that Mr. Tucker should assist in the matter. Mr. Tucker was the higher officer in rank, being Assistant Secretary of War, his opinion would necessarily overrule that of the inferior officer. I understand that they were associated together; that the work was too large for any one man to do, and I presume that, probably, Mr. Tucker's opinion governed the charter. I gave some general directions, with the best information in my possession, as to the mode of making charters, what should be the limit of the prices paid.

Question. Captain Hodges has testified before this committee that the vessels were chartered by Mr. John Tucker; that he merely was expected and directed to sign the charter-parties in order to give them official character. Was that fulfilling the orders of the department on the part of Captain Hodges, and doing what was expected of him?

Answer. Captain Hodges had written instructions for his guidance, which I would prefer to refer to before I undertake to state what they are. I presume, as I said in my previous answer, that, practically, the opinion of the higher officer would govern, and Captain Hodges would sign the charters.

Question. Was Captain Hodges expected to strictly comply with the written instructions that he took with him?

Answer. Yes, sir. In my opinion it would have been his duty, if he found any charter being made that was wrong or improper in his opinion, to make a report of that fact or protest against it.

Question. I find in the list of vessels chartered by the United States government, appended to a letter written by you to the Secretary of War, dated March 24, 1862, the name of R. F. Loper as having chartered sundry vessels for the United States government. State if he acted as the agent of the quartermaster's department, or the War Department generally.

Answer. I cannot say what is Mr. Loper's authority, sir. He has no commission of me.

Question. Or under the quartermaster's department?

Answer. He might have been, by some quartermaster, employed as an agent, but I have not seen his authority. That report is made up from what we find on the files of the department.

Question. Would Mr. Loper have any authority to sign a charter for the government, if only employed by a subordinate?

Answer. He might have been employed by a subordinate as an agent; but it would have been much more proper for the charters to be signed by the officer himself, or at least signed for the officer officially. I have never seen any commission or authority to Mr. Loper in writing; by which I do not mean to say that there is no such thing on file in the quartermaster's office.

Question. Can you furnish to the committee a list of the vessels that have been chartered at Baltimore during the present insurrection?

Answer. We can make a list of all the vessels which have so far been reported to us as chartered at Baltimore, but it will be a work of some time. I have directed to be brought to the committee the books in which charters are entered at the quartermaster's department.

Question. Can you tell by these books what vessels are now in the employment of the government?

Answer. No, sir; not with these books, because vessels are discharged daily and chartered daily. They can only be entered here as information is received.

Question. Are your subordinates required to immediately notify you, when a charter-party expires, or when a vessel that is chartered for a given period, with the option on the part of the government to continue it, is surrendered back to the owners?

Answer. Our officers are required to make monthly returns, and in those returns to state all changes that take place.

Question. Do you know of a person named Amasa C. Hall being employed in any capacity as the representative or contractor for the government at Baltimore?

Answer. I have known of many vessels being chartered from a Mr. A. C. Hall, in Baltimore.

Question. Do you know of his there acting as the representative of the government in securing vessels?

Answer. I do not so understand it, sir.

Question. Do you know of his acting as a sort of representative or agent of the government in disposing of the vessels in the harbor, moving them about, and attending to matters connected generally with the shipping for the quartermasters department at Baltimore?

Answer. I do not know. If he is employed in such a position, it would be contained in the quartermaster's monthly reports; but the quartermaster's monthly reports are too voluminous for me personally to examine.

Question. Do you know of his receiving any compensation, or of any compensation being promised to or expected by him for any service of that description rendered by him to the government?

Answer. I do not. Let me add to that, before answering definitely such a question, I should want an opportunity to examine the cor-

respondence on file in my office, as a good deal has to be done by assistants that does not come personally before me. My attention has not been called to this matter, and the reports of the quartermaster, Colonel Belger, might show some such conditions—some engagement—some promise of compensation to this Mr. Hall, though I have no knowledge of it. It might be on file in my office.

Question. Are you aware of any instructions or directions having been given to Colonel Belger, or any other officer of the quartermaster's department, to the effect that the War Department or you, as its representative, desired or expected that vessels presented by Mr. Hall for charter should be employed in preference to others?

Answer. On the contrary, I have called Colonel Belger's attention once or twice to the large number of vessels chartered from Mr. Hall, telling him that this appeared to be a monopoly, and that it ought to be corrected.

Question. State whether you have the charter-party of the steamer Niagara chartered for the Banks expedition?

Answer. It may be in the office, but I have not personally seen it.

WASHINGTON, *Tuesday, January* 20, 1863.

Brigadier General MONTGOMERY C. MEIGS, recalled, testified further as follows:

Examined by the chairman.

Question. Can you now state as to the charter-party of the steamer Niagara?

Answer. I find no charter for the Niagara in the office; the charter has not been received at the quartermaster general's office, and I can not state upon what terms she was chartered.

In accordance with your desire, I now present a list of vessels chartered in the port of Baltimore, by Colonel James Belger, United States quartermaster at that post, from the first of July, 1861, up to the time when the last report was made from Colonel Belger. This list is made up from the entries of the charters which are entered in the books as received. It is not made up from the reports of the quartermaster, but from the list of charter-parties as entered.

I also present a copy of Colonel Belger's last report of vessels chartered and in service during the month of November, 1862, with the list of vessels discharged during that month.

Question. Does this embrace all that he had in service?

Answer. That should embrace all that he had in service. I also present a copy of my instruction to Captain Hodges. (For General Meigs's instructions to Captain Hodges, in relation to chartering transports for the McClellan expedition, see the testimony of Captain H. C. Hodges.) When I wrote those instructions to Captain Hodges I understood that I was complying exactly with the expressed wishes of the Secretary of War.

I also present a copy of the schedule, prepared by Colonel Ingalls

and furnished to Captain Hodges, of the number of transports required for General McClellan's expedition.

It is as follows:

QUARTERMASTER GENERAL'S OFFICE,
Washington City, February 27, 1862.

CAPTAIN: The following schedule has been prepared by Colonel Ingalls, based mainly upon Assistant Secretary Tucker's calculation:

I. 100 *barges, Nos.* 1 *to* 100.—1,200 *wagons,* 20,000 *men.*

Each to carry 12 wagons and 200 men with equipments, 5 days' rations in the haversacks, 2,000 rations in bulk, without pork, put on board where chartered, and 2,000 gallons water, in casks and tanks.

24 four-horse ambulances, with horses, teamsters, &c., to be put in the schooners and barges.

II. 150 *schooners, Nos.* 1 *to* 150.—11,400 *horses,* 3,000 *teamsters.*

Each to carry 76 horses on deck, a few additional, if required, under deck; 20 teamsters with 5 days' rations, cooked; 200 rations in bulk; 9,500 pounds grain; 11,000 pounds hay; 4,000 gallons water, in casks and tanks. Forage and water to be put on board at place of charter; teamsters and horses at Perryville. Rendezvous at Annapolis.

III. 16 *propellers, Nos.* 1 *to* 16, 200 *tons each.*—16 *batteries,* 6,400 *men.*

Each to carry a battery, unlimbered, on deck, if possible, and 400 men; 5 days' rations for men, in haversacks; 10 days' rations, except pork, in bulk; 4,000 rations; 4,000 gallons water. The 4,000 rations and water to be put on board at place of charter.

IV. 12 *propellers, Nos. A to L,* 300 *tons each.*—7,200 *men.*

Each to carry 600 men, equipments, with 5 days' rations, in haversacks; 10 more in bulk, say 6,000 rations; 6,000 gallons of water. Provisions and water to be put on board at place of charter; men, &c., at Annapolis. The 28 propellers to tow the barges to their destination.

V. 10 *propellers, tugs, Nos.* 1 *to* 10.

Each to assist in towing schooners with side-wheel tugs, and to act as omnibus boats to fleet.

VI. 6 *large side-wheel steam-tugs, Nos.* 1 *to* 6.—2,400 *men.*

Each to assist in towing schooners, and to carry 400 men and equipments, and 5 days' rations in haversacks, 10 days' more in bulk, or 4,000 rations, except pork; 4,000 gallons of water—the latter two items to be put on board at place of charter.

VII. 30 *steamers, Nos.* 1 *to* 30.—21,000 *men.*

Each to carry 700 men, their equipments; 5 days' rations in haversacks, 7,000 more in bulk, except pork; 7,000 gallons water. The last two items to be put on board at place of charter; men, &c., at Annapolis. Coal for the voyage must be provided on board each steam vessel. Beef on hoof, for 5 days' rations, to be shipped from Baltimore. If provisions cannot be put in each vessel as herein indicated, the quantities can be more consolidated on selected vessels of

List of vessels chartered by the quartermaster's department at Baltimore, Maryland, &c.—Continued.

Name of vessel.	Date of charter.	From whom chartered.	Tonnage.	Rate of charter.	Remarks.
	1862.				
Luther Child ..... schooner	May 6	A. C. Hall	168	$672 per month	Hired by the month.
Lucy Church ..... do	Mar. 26	do	204	816 do	Do.
Carrie ..... do	Apr. 28	do	110	440 do	Do.
Samuel Colt ..... do	Apr. 18	do	166	664 do	Do.
Carrie ..... do	Aug. 11	Wm. Applegarth & Son	110	440 do	Do.
Mary Connoly ..... barge	Apr. 1	A. C. Hall		12 per day	Time indefinite.
California ..... do	Apr. 28	do		12 do	Do.
J. Campbell ..... do	May 2	do		12 do	Do.
Cape May ..... do	April 5	do		12 do	Do.
Carrie ..... do	Aug. 25	J. F. Hochlander		9 do	Do.
William L. Dayton ..... schooner	June 10	A. C. Hall	135	540 per month	Hired by the month.
Israel H. Day ..... do	Mar. 24	do	253	916 do	Do.
Davison ..... do	Mar. 26	do	94	376 do	Do.
Elisha Doane ..... do	Mar. 25	do	187	748 do	Do.
Delaware ..... sloop	Aug. 12	Wm. Applegarth & Son	75	300 do	Do.
Rhoderick Dhu ..... barge	May 2	A. C. Hall		12 per day	Time indefinite.
Dutch Traveller ..... do	May 8	do		9 do	Do.
M. A. Duffy ..... do	April 28	do		12 do	Do.
Eureka ..... steamer	May 27	do	150	115 do	Do.
Ella ..... schooner	Mar. 18	do	212	795 per month	Hired by the month.
Emma Jane ..... do	April 11	do	125	500 do	Do.
East New Market ..... do	April 16	do	90	360 do	Do.
A. S. Ells ..... do	May 8	do	118	472 do	Do.
Emma Amelia ..... do	May 4	do	250	1,000 do	Do.
Empire City ..... barge	May 2	do		12 per day	Time indefinite.
Edward ..... do	May 2	do		12 do	Do.
Grey Eagle ..... do	Aug. 26	Solomon R. Shipe		9 do	Do.
J. & M. & A. J. Foxwell ..... schooner	Aug. 11	Wm. Applegarth & Son	78	312 per month	Hired by the month.
Frances ..... do	June 26	A. C. Hall	223	892 do	Do.
Free Wind ..... do	Mar. 18	do	168	672 do	Do.
Kenrick Fish ..... do	April 22	do	170	680 do	Do.
Julien Franklin ..... do	April 22	do	92	368 do	Do.
D. C. Foster ..... do	April 24	do	127	508 do	Do.
French ..... do	April 30	do		475 do	Do.
William Frazier ..... do	Aug. 21	Wm. Applegarth & Son	106	424 do	Do.
B. N. Fox ..... do	Aug. 11	do	148	592 do	Do.
Emma Farbush ..... do	May 9	A. C. Hall	184	736 do	Do.
John Forsyth ..... do	May 2	do	247	988 do	Do.
E. W. Farrington ..... do	May 5	do	211	844 do	Do.
Fisher ..... do	May 1	do	112	448 do	Do.
Adolphus Fisher ..... barge	May 8	do		12 per day	Time indefinite.
Friendship ..... do	April 28	do		12 do	Do.
Forrest Flower ..... do	May 9	do		9 do	Do.

[List furnished to the committee by Quartermaster General Meigs.]

List of vessels chartered by the quartermaster's department at Baltimore, Maryland, since July 1, 1861, *by Colonel James Belger, quartermaster.*

Name of vessel.	Date of charter.	From whom chartered.	Tonnage.	Rate of charter.	Remarks.
	1862.				
Mountain Avenue.....schooner	May 9	A. C. Hall	174	$696 per month	Hired by the month.
Almira T.....do	Aug. 11	W. Rhodes & Son	159	650....do	Do.
Ambition.....do	Aug. 21	Wm Applegarth & Son	100	400....do	Do.
Amytis.....do	Apr. 17	A. C. Hall	106	424....do	Do.
Wm. Allen.....do	Apr. 16	do	363	1,452....do	Do.
Young America.....do	Apr. 29	do	142	568....do	Do.
Lucy W. Alexander.....do	Mar. 29	do	145	580....do	Do.
Algomar.....do	Mar. 25	do	126	500... do	Do.
Aladdin.....brig	Apr. 28	do	260	1,040 .. do	Do.
Alexander the Great.....barge	May 12	do		12 per day	Time indefinite.
W. T. Anderson.....do	May 5	do		12....do	Do.
John Adams.....do	May 2	do		12....do	Do.
Lizzie Arnold.....do	Aug. 25	J. L. Arnold		10... do	Do.
Batavia.....schooner	Mar. 15	A. C. Hall	164	615 per month	Hired by the month.
Daniel Brown.....do	Mar. 15	do	294	1,065....do	Do.
Vincent Barkelew.....do	Mar. 26	do	84	336....do	Do.
Mary Brewer.....do	Mar. 21	do	115	460....do	Do.
Benj. L. Berry.....do	Mar. 27	do	190	760....do	Do.
J. H. Burnett.....do	Mar. 24	do	192	768....do	Do.
Belle of Cape Ann.....do	May 6	do	100	400....do	Do.
Baltimore.....do	May 2	do	120	480....do	Do.
Harriet Baker.....do	June 11	do	150	600....do	Do.
Butterfly.....do	Aug. 11	Wm. Applegarth & Son	100	400....do	Do.
Clara Bell.....do	Aug. 11	do	125	500....do	Do.
Buena Vista.....do	Apr. 18	A. C. Hall	231	924....do	Do.
Olivia Buxton.....do	Apr. 22	do	90	360....do	Do.
Bengall.....do	Apr. 28	do		412....do	Do.
Gov. Burton.....do	Apr. 8	do	268	1,072....do	Do.
L. W. Birdsall.....do	Apr. 16	do	167	668....do	Do.
Clara Bell.....do	Apr. 22	do	124	496....do	Do.
Jas. Baker.....steam-tug	Mar. 18	do		65 per day	Hired by the day.
Village Bell.....barge	Aug. 26	Isaac Millikin		9....do	Time indefinite.
Geo. W. Beavers.....do	May 5	A. C. Hall		12... do	Do.
Mary Ann Brown.....do	May 1	do		12....do	Do.
Baltic.....do	May 15	do		12....do	Do.
Andrew Buckley.....do	Apr. 7	do		12....do	Do.
	1861.				
Columbia.....steamer	July 19	Charles Worthington		3,000	From July 19 to August 18, 1861.

List of vessels chartered by the quartermaster's department at Baltimore, Maryland, &c.—Continued.

Name of vessel.	Date of charter.	From whom chartered.	Tonnage.	Rate of charter.	Remarks.
	1862.				
James Murray ..... steam-tug	July 23	C. Collins		$100 per day	Hired by the day.
Charles E Morris ..... barge	May 1	A. C. Hall		12 do	Time indefinite.
Mary Linda ..... do	May 2	do		12 do	Do.
P. S. Marsh ..... do	May 1	do		12 do	Do.
Martha and Sarah ..... do	Aug. 26	John B. Miller		9 do	Do.
John F. Morton ..... do	May 5	A. C. Hall		12 do	Do.
W. Nicholas ..... brig	May 9	do	180	720 per month	Hired by the month.
E. Nickerson ..... schooner	Mar. 25	do	229	916 do	Do.
Norman ..... do	Mar. 21	do	220	880 do	Do.
North Carolina ..... do	Apr. 16	do	108	432 do	Do.
Nevada ..... barge	Apr. 1	do		12 per day	Time indefinite.
Nightingale ..... do	Apr. 7	do		12 do	Do.
Niagara ..... do	Apr. 2	do		12 do	Do.
Ontario ..... schooner	Aug. 11	do	75	340 per month	Hired by the month.
Tom O'Neal ..... barge	Apr. 1	do		12 per day	Time indefinite.
Orange ..... do	May 2	do		12 do	Do.
Pocahontas ..... steamer	July 25	Jacob Brandt		3,000	From July 25 to August 24, 1861.
Patapsco ..... steam-tug	May 17	A. C. Hall	90	85 per day	Hired by the day.
Pennsylvania ..... schooner	May 1	do	143	572 per month	Hired by the month.
Plandoure ..... do	Apr. 23	do	266	1,064 do	Do.
Juniata Patten ..... do	Apr. 14	do	261	1,044 do	Do.
J. M. Piplier ..... barge	Apr. 3	do		12 per day	Time indefinite.
A. C. Page ..... do	Apr. 7	do		12 do	Do.
Planet ..... do	Apr. 1	do		12 do	Do.
John Pickup ..... do	Apr. 28	do		12 do	Do.
A. T. Rowland ..... schooner	Apr. 14	do		864 per month	Hired by the month.
Louisa Reeves ..... do	Mar. 15	do	163	600 do	Do.
Dr. W. W. Robbins ..... barge	Aug. 25	S. H. Hochlander		10 per day	Time indefinite.
Rebecca ..... do	May 3	A. C. Hall		12 do	Do.
E. Reider ..... do	Apr. 28	do		12 do	Do.
William Spear ..... schooner	Mar. 11	do	97	388 per month	Hired by the month.
Susquehanna ..... do	Mar. 10	do	77	308 do	Do.
R. C. Stannard ..... do	Apr. 24	do	124	496 do	Do.
John P. Spedden ..... do	Aug. 12	Wm. Applegarth & Son	92	368 do	Do.
S. L. Simmons ..... do	Apr. 25	A. C. Hall	223	892 do	Do.
Julia Smith ..... do	June 16	do	182	728 do	Do.
Southerner ..... do	May 20	do	230	920 do	Do.
George Spencer ..... barge	May 2	do		12 per day	Time indefinite.
Swan ..... do	May 5	do		12 do	Do.
Thomas B. Stran ..... do	May 5	do		9 do	Do.
Seven Sisters ..... do	Aug. 25	Charles Rinehart		9 do	Do.
Charles E. Steiner ..... do	May 2	A. C. Hall		12 do	Do.
T. Spencer ..... do	May 2	do		12 do	Do.

Telegraph	steamer	June 14	Charles Coblens	127 5-95	125 do	Hired by the day.
J. H. Travers	schooner	Apr. 28	A. C. Hall	100	400 per month	Hired by the month.
John Tilton	do	May 6	do	160	640 do	Do.
Typhoon	do	May 20	do	265	1,060 do	Do.
O. H. Tolla	do	Aug. 11	William Applegarth & Son	95	380 do	Do.
Jane Toner	barge	Apr. 2	A. C. Hall		12 per day	Time indefinite.
D. J. Townsend	do	May 5	do		12 do	Do.
Undine	schooner	May 12	do	100	400 per month	Hired by the month.
Uphamia	barge	Apr. 7	do		12 per day	Time indefinite.
Vera Cruz	do	Apr. 1	do		12 do	Do.
John Wanner	do	Sept. 6	Charles Coblens		12 do	Do.
Wonder	schooner	Aug. 28	Rose & Lyon	190	760 per month	Hired by the month.
N. L. Wapen	do	Apr. 22	A. C. Hall	103	412 do	Do.
William & John	do	Aug. 11	William Applegarth & Son	95	380 do	Do.
Richard A Wood	do	Mar. 27	A. C. Hall	298	1,100 do	Do.
White Cloud	do	Mar. 15	do	153	600 do	Do.
William	bark	Sept. 3	Kelsey & Gray	236	944 do	Do.
Samuel Wooly	do	Mar. 29	S. Flanagan		12 per day	Time indefinite.
David Wilmot	do	May 2	A. C. Hall		12 do	Do.
Lewis Wilson	do	May 2	do		12 do	Do.
Mazy Welch	do	May 8	do		9 do	Do.
Winekoop	do	Mar. 29	do		12 do	Do.
Young Henry	do	Apr. 1	do		12 do	Do.
Zouave	do	Aug. 25	J. S. Patten		9 do	Do.

[Colonel Belger's report to the Quartermaster General's Office.]

Report of vessels chartered by the quartermaster's department, U. S. army, and employed in the transportation of government supplies and troops, by Col James Belger, quartermaster U. S. army, Baltimore, Md., for the month ending November 31, 1862.

No.	Name of vessel.	Tonnage.	By whom and where chartered	From whom chartered.	When chartered.	Terms of charter.	Period of charter.	How employed.	Amount due.
1	Norman ..... schooner.	220	Col. Jas. Belger, Balto.	A. C. Hall.....	Mar. 21	$880 per month.	1 month, and longer if required.	Transporting gov't supplies.	$880 00
2	Richard A. Wood .....do....	298	.....do.....	.....do	Mar. 27	1,100 ....do ...	.... do.....	.....do.....	1,100 00
3	H. T. Rowland.....do	216	.....do.....	.....do	Mar. 29	864 ....do....	.....do.....	.....do.....	864 00
4	William Allen .....do....	363	.....do.....	.....do	April 15	1,462 .. .do....	.....do.....	.....do.....	1,462 00
5	Amytis .....do....	106	.....do.....	.....do	April 17	424 ....do....	. ...do.....	.....do.....	424 00
6	Maria Elizabeth .....do....	245	.....do.....	.....do	... do....	980 ....do....	.....do.....	.....do.....	980 00
7	Julia Smith .....do....	182	....do.....	.....do	June 16	728 ....do....	.....do.....	.....do.....	728 00
8	Lawrence .....do ...	125	... .do.....	Tregor & Tall	Aug 11	475 ....do....	.....do.....	.....do..... .	475 00
9	Col. R. Ingalls.....steamer.	.....	.....do.....	A. C. Hall.....	Nov. 15	65 per day...	.....do	.....do.....	1,950 00
10	Major Brewerton .....do...	102	.....do	J. L. Chapman	Nov. 17	75 ....do....	.....do	.....do.....	2,250 00
11	Atlantic ....do....	74 71-95	.....do.....	Jos. J. Taylor	Nov. 18	75 ....do..	.. ...do	.... do.....	2,250 00
12	Ajax ..... steam-tug.	83	....do	John Henderson	Nov. 17	50 ....do....	.....do	.....do.....	1,500 00
13	General S. Van Vliet.....do....	. .....	.....do	Louis Stow	Nov. 19	65 ....do .	... ..do	..... do....	1,950 00
14	Spy ....do....	.....	.....do.....	Henry H. Brady	Nov. 20	60 .. do ..	.....do.....	.....do..... ...	1,800 00
15	Pacific .....do....	.....	.....do.....	Jos. J. Taylor.....	Nov. 21	70 ....do...	.....do	.....do.....	2,100 00
16	J. K. Kirkman .....do..	.....	.....do.....	S. C. Hall	Nov. 22	75 ....do ...	.... do.....	.....do.....	2,250 00
17	Pile Driver.	.....	... ... do.....	John N. Ely	Nov. 14	75 ....do .	.....do.....	.....do.....	2,250 00
18	Richard Borden. ... .schooner.	150	. .....do.....	Kelsey & Gray	Nov. 15	600 per month	.....do	.....do...	600 00
19	Jane F. Durfee.....do....	199	... .do.....	.... do	Nov. 17	796 ....do...	.....do.....	.... do.....	796 00
20	Alexander Blue .....do...	172	.....do.....	G. H. Keen.....	Nov. 20	688 ....do....	.....do.....	.....do.....	688 00
21	George M. Van Zant .... barge ..	68	.....do.....	Alfred Steer	Nov. 14	10 per day...	.....do.....	.....do.....	300 00
22	Kate Sailor .....do....	124	.....do.....	M. Kerseseliger	... do....	12 ....do .	.....do	.....do.....	360 00
23	Empire City . .....do....	112	..... do	Edward Burke.....	... do ...	12 ....do ..	.....do	.....do....	360 00
24	Catharine Ann .....do ...	110	... .do.....	Wm. Maghey	... do....	12 ....do ...	.....do.....	.....do.....	360 00
25	Charles M. Gibbs .....do....	60	.....do.....	George Wilhelm	... do....	10 ...do...	.....do.....	.....do.....	300 00
26	Commodore Foote .....do....	59	.....do.....	Wm. Donnell	... do ...	10 ....do....	..... do.....	.....do	300 00
27	Estella ....do ...	59	.....do.....	John Hane	... do...	10 ....do....	.....do.....	.. ...do.....	300 00
28	Bell & Kate .....do...	61	..... do.....	Wm. Bell.....	... do....	10 ....do....	. .. do.....	.... do	300 00
29	Perkins & McCane.....do....	70	.....do	Henry Donnell.....	... do ...	10 ....do....	.....do.....	.....do.....	300 00
30	Prosper.....do....	74	.....do	Benj Nummell	... do ..	10 ....do...	.....do...	.....do.....	300 00
31	Peter Stefner .. ..do....	90	.....do....	James Gracey	... do ...	10 ....do...	.....do.....	.....do.....	300 00
32	Mount Vernon ... .do....	100	..... do	C. W. Beverson.....	... do....	10 ....do ...	.....do..... ..	..... do.....	300 00
33	United States .....do....	58	... .do	M. Orendorf.	... do....	10 ....do....	.... do.....	.....do....	300 00
34	Union Forever. .. ..do....	70	.....do	F. O. Donnell	Nov. 15	10 ....do....	.....do.....	.....do.....	300 00
35	Union No. 1 .....do....	70	..... do	Jos. Smeltzer.....	. do...	10 ....do....	.....do	.....do	3 0 00
36	William Harrison ....do....	72	.....do	Dan. Blizard.	... do ...	10 . . do. ..	.....do.....	... ..do.....	300 00
37	E. M. Stanton ....do....	71	.....do.....	J. Hipple	... do..	10 ....do....	.....do.....	.....do.....	300 00
38	Thomas Welsh .....do....	60	.... do....	Mike Walls	... do....	10 ....do....	.....do.....	.....do.....	300 00
39	C. J. Burbaker.....do....	60	....do..... ...	H. Burbaker.	... do....	10 ....do....	..... do.....	..... do.....	300 00

40	W. C. Burbaker	do	68	do	Nathaniel Noblet	do	10	do	do	do		300 00
41	Carrie & Emma	do	100	do	John Douglass	do	10	do	do	do		300 00
42	John Q. M. McConkey	do	59¼	do	H. M. Cornell	do	10	do	do	do		300 00
43	Ne plus ultra	do	67½	do	J. Hipple	do	10	do	do	do		300 00
44	S. C. Hestine	do	66	do	Wm. Frederick	do	10	do	do	do		300 00
45	George W. Beaver	do	200	do	H. K. White	do	12	do	do	do		360 00
46	Carondelet	do	60	do	Patrick Broken	do	10	do	do	do		300 00
47	Wm. Nagrell	do	60	do	J. A. Blair	do	10	do	do	do		300 00
48	Dr. Hull	do	60	do	Robert Slater	do	10	do	do	do		300 00
49	Harriet Louisa	do	60	do	A. Hoover	do	10	do	do	do		300 00
50	Young Charles	do	60	do	Jacob Strau	do	10	do	do	do		300 00
51	Bird Hill Boy	do	130	do	Wm. Brickley	do	12	do	do	do		360 00
52	May Queen	do	134	do	John Taylor	do	12	do	do	do		360 00
53	Jos. E. Blackwell	do	63	do	T. W. Brass	do	10	do	do	do		300 00
54	Mary Elizabeth	do	90	do	John Hugentugher	do	10	do	do	do		300 00
55	Liberty	do	200	do	Robert Patterson	do	12	do	do	do		360 00
56	Union	do	70	do	A. Dunn	do	10	do	do	do		300 00
57	John Bonsman	do	100	do	John Boyle	do	12	do	do	do		360 00
58	Young America	do	120	do	Thomas Blunt	do	12	do	do	do		360 00
59	James Cook	do	60	do	George Wilhelm	do	10	do	do	do		300 00
60	Resolute	do	50	do	Robinson Williams	do	10	do	do	do		300 00
61	George Frize	do	62	do	C. McKim	do	10	do	do	do		300 00
62	Lizzie Arnold	do	77	do	J. L. Arnold	Nov. 17	10	do	do	do		300 00
63	Thomas E Franklin	do	58	do	Jacob Piper	do	10	do	do	do		300 00
64	Thomas Craig	do	58	do	George McClure	do	10	do	do	do		300 00
65	Baltimore Coal Co. No. 26	do	61	do	James Harton	do	10	do	do	do		300 00
66	H. R. G. Mills	do	59	do	Henry Beck	do	10	do	do	do		300 00
67	Verdilea Seabold	do	66	do	H. Seabold	do	10	do	do	do		300 00
68	C. H. Clark No. 1	do	64	do	D. Heikel	do	10	do	do	do		300 00
69	California	do	107	do	Daniel Forsyth	do	12	do	do	do		360 00
70	Clementine	do	61	do	John Shinleger	do	10	do	do	do		300 00
71	Sarah Edith	do	60	do	John Maury	do	10	do	do	do		300 00
72	P. C. Gritman	do	55	do	James Oliver	do	10	do	do	do		300 00
73	Monitor No. 1	do	60	do	Jacob S. Patton	do	10	do	do	do		300 00
74	Elizabeth Collins	do	70	do	Jesse Michael	do	10	do	do	do		300 00
75	Smith Kurtz	do	55	do	S. A. Shroff	do	10	do	do	do		300 00
76	W. Y. Corning	do	60	do	T. M. Rathnell	Nov. 18	10	do	do	do		300 00
77	Young Thomas	do	120	do	H. McLaughlin	do	12	do	do	do		360 00
78	L. A. Barley	do	59	do	J. Olmstead	do	10	do	do	do		300 00
79	Vindicator	do	82	do	A. L. Huggins	do	10	do	do	do		300 00
80	B. F. Houser	do	68	do	George M. Houser	do	10	do	do	do		300 00
81	Richard Vaux	do	119	do	James McFarge	do	12	do	do	do		360 00
82	William Tash	do	78	do	Wm. Wilson	Nov. 19	10	do	do	do		300 00
83	J. E. Blackwell	do	78	do	John Midton	do	10	do	do	do		300 00
84	John J. Rowan	do	75	do	M. Maloney	do	10	do	do	do		300 00
85	Joseph Bird	do	57	do	Thomas Zell	do	10	do	do	do		300 00
86	Abraham Collins	do	69	do	Abraham Collins	do	10	do	do	do		300 00
87	General R. Fleming	do	60	do	John L. Hulzier	Nov. 20	10	do	do	do		300 00
88	Cornelius Haggerty	do	125	do	F. Marker	do	12	do	do	do		360 00
89	Samuel M. Wright	do	58	do	Wm. Orsman	do	10	do	do	do		300 00
90	James Heurg	do	71	do	A. Maycer	do	10	do	do	do		300 00
91	Sally Ann	do	77	do	P. S. McCullough	do	10	do	do	do		300 00
92	Ceres	do	53	do	M. Donahue	do	10	do	do	do		300 00

Report of vessels chartered by the quartermaster's department, &c.—Continued.

No.	Name of vessel.	Tonnage.	By whom and where chartered.	From whom chartered.	When chartered.	Terms of charter.	Period of charter.	How employed.	Amount due.
93	Durango ..... barge ..	67	Col Jas. Belger, Balto.	John McLaughlin.....	Nov. 20	$10 per day...	1 month, and longer if required.	Transporting gov't supplies.	$300 00
94	George P. Watson .....do	57	.....do..... ...	Seth V. Coover	... do....	10 ... do ..	.....do.....	.... do.....	300 00
95	Thomas M. Rathwell.....do ..	60	.....do.....	Ezra Rathwell.	Nov. 21	10 ....do....	..... do..... ..	.....do	300 00
96	John A. Hopper..... ... do....	59	... . .. do	R. Barrett.....	... do...	10 ....do....	.... do..... ..	.... do.....	300 00
97	Kirk Few ..... do....	60	.....do	Wm Shaura.	... do	10 ... do....	.....do	.....do...	300 00
98	Constitution.....do ..	119	.....do..... ...	A. F. Bertolet	Nov. 28	15 ... do....	.....do	.....do.....	450 00
									51,627 00

Report of vessels discharged during the month of November, 1862.

No.	Name of vessel.	Description, tons burden.	When chartered.	When discharged.*	Terms of charter.
1	Maria Anna	Schooner, 137	Mar. 15, 1862		$500 00 per month.
2	Joseph Baker	Steam tug	Mar. 18, 1862		65 00 per day.
3	Minnehaha	Schooner, 141	Mar. 21, 1862		528 25 per month.
4	Israel W. Day	Schooner, 253	Mar. 24, 1862		916 00 per month.
5	Vincent Barkeline	Schooner, 84	Mar. 26, 1862		336 00 per month.
6	E. Nickerson	Schooner, 224	Mar. 25, 1862		916 00 per month.
7	Louisa Anna	Schooner, 130	April 15, 1862		528 00 per month.
8	S. W. Birdsale	Schooner, 167	April 15, 1862		668 00 per month.
9	Mary and Elizabeth	Schooner, 190	April 29, 1862		760 00 per month.
10	F. W. Johnson	Schooner, 94	April 22, 1862		376 00 per month.
11	Plandome	Schooner, 264	April 23, 1862		1,064 00 per month.
12	Ellen Merryman	Schooner, 129	April 23, 1862		516 00 per month.
13	D. C. Foster	Schooner, 127	April 24, 1862		508 00 per month.
14	Bengall	Schooner, 103	April 28, 1862		412 00 per month.
15	Baltimore	Schooner, 120	May 2, 1862		480 00 per month.
16	E. D. McClanahan	Schooner, 114	May 2, 1862		456 00 per month.
17	Mountain Eagle	Schooner, 195	May 5, 1862		780 00 per month.
18	Luther Childs	Schooner, 168	May 6, 1862		672 00 per month.
19	Aurora Mountain	Schooner, 174	May 9, 1862		696 00 per month.
20	G. W. Grice	Schooner, 118	May 12, 1862		472 00 per month.
21	Haynor	Schooner, 120	June 9, 1862		480 00 per month.
22	G. W. Glover	Schooner, 116	June 10, 1862		464 00 per month.
23	Clara Bell	Schooner, 125	Aug. 11, 1862		500 00 per month.
24	Carrie	Schooner, 110	Aug. 11, 1862		440 00 per month.
25	Joseph Holmes	Schooner, 221	Aug. 22, 1862		884 00 per month.
26	Nevada	Barge	April 1, 1862		12 00 per day.
27	Little Sally	Barge	April 1, 1862		12 00 per day.
28	Vera Cruz	Barge	April 1, 1862		12 00 per day.
29	Niagara	Barge	April 2, 1862		12 00 per day.
30	Nightingale	Barge	April 7, 1862		12 00 per day.
31	Mary Ann Brown	Barge	May 1, 1862		12 00 per day.
32	P. S. Marsh	Barge	May 1, 1862		12 00 per day.
33	Lewis and Butler	Barge	May 2, 1862		12 00 per day.
34	G. Spencer	Barge	May 2, 1862		12 00 per day.
35	J. Campbell	Barge	May 2, 1862		12 00 per day.
36	T. Skinner	Barge	May 2, 1862		12 00 per day.
37	Edward	Barge	May 2, 1862		12 00 per day.
38	Louis Wilson	Barge	May 2, 1862		12 00 per day.
39	Rebecca	Barge	May 3, 1862		12 00 per day.
40	Swan	Barge	May 5, 1862		12 00 per day.
41	Thomas P. Straw	Barge	May 5, 1862		9 00 per day.
42	George H. Bevans	Barge	May 5, 1862		12 00 per day.
43	Thomas Guest	Barge	May 12, 1862		12 00 per day.
44	Feronia	Barge	Aug 25, 1862		9 00 per day.
45	Zouave	Barge	Aug. 25, 1862		9 00 per day.

* These vessels were all transferred to other officers.

I certify that the above report is correct.

J. W. BELGER,
Colonel and Quartermaster.

Question. What was the character of the complaints made to your department in regard to Mr. Hall, as mentioned by you in your letter to Colonel Belger, of July 9, 1862?

Answer. Captains of barges, or persons professing to own barges or canal boats, would come to me and say they found they could not get their pay unless Mr. Hall received a certain percentage. I investigated those cases. Some of them, I think, were referred to Colonel Belger to report; and I think I generally found that the charters were from Mr. Hall. I supposed him to be a ship-broker or agent, who kept himself advised of what vessels were to charter, and acted as the agent of the owners. But finding these complaints made, and that so many vessels were chartered in his name, I wrote to Colonel Belger on the subject on the 9th of July, and again on the 29th of July,

copies of which letters I submit. The replies were placed in the hands of the Assistant Secretary of War, and they have either passed into the hands of some agent or been laid away in some safe, and though I have asked for them more than once during the last two or three days they have not been found They are, however, in the possession of the War Department.

WASHINGTON, *Friday, January* 30, 1863.

Brigadier General MONTGOMERY C. MEIGS recalled, testified further, as follows:

Examined by the chairman.

Question. Did you have any interview with Mr Tucker or Mr. Hall in regard to the method of chartering vessels at Baltimore, or the persons with whom charters were effected?

Answer. I have spoken with Mr. Tucker, in regard to Mr. Hall being so much employed, or so many vessels being chartered through Mr. Hall, more than once. I do not remember any particular interview on this subject. I have told him that I had written to Colonel Belger upon the subject Mr. Hall I do not remember ever to have seen, until I saw him one day in this committee room lately, and was told, after he had left the room, that that was Mr. Hall. If I had such an interview it left no impression upon me as to its being of importance.

Question. Did Mr. Tucker, under the authority of the Secretary of War, have the general subject of the employment of transports under his charge, during the year ending January 1, 1863?

Answer. I think that, during Mr. Cameron's administration as Secretary of War, he held a position as superintendent of transportation; but I have not seen his commission, and do not know precisely what his powers were. I think he acted under the instructions of the Secretary of War. When Mr. Stanton took charge of the War Department Mr. Tucker was made Assistant Secretary of War, and acted in connexion with transportation from time to time, under instructions from the Secretary of War himself; what his precise duties and powers were I am not informed.

M. C. MEIGS,
Quartermaster General.

[The following letter from General Meigs was received subsequent to his giving the previous testimony.]

QUARTERMASTER GENERAL'S OFFICE,
Washington City, January 30, 1863.

DEAR SIR: Having heard read this morning a portion of the testimony of Cornelius Wendell in regard to the charter of the steamer George Washington, by Captain Fuller, assistant quartermaster at Hilton Head, I think it my duty to say to you that in my opinion this testimony will produce a wrong impression, and that justice to

Captain Fuller, who made the charter, requires that his presentation of the case should be printed with the testimony.

Mr. Wendell's testimony, if carelessly read, will leave the impression that the vessel was chartered by him for $100, and that for the same Captain Fuller paid $350 per day. I believe that Mr. Wendell's charter to Mr. Clarke must have been for the bare vessel, (at home), while Captain Fuller's charter probably included the wages and support of the crew and officers, who are generally hired by the owners. I write without reference to the papers.

The charter was made by Captain Fuller at Hilton Head, as I understand, under pressure of necessity, for the use of the vessel upon the expedition to James's island. General Hunter disapproved the charter, saying it was made in violation of his orders. Captain Fuller, I think, asserted that he had made the best bargain he could with the agent of the owners, and that the necessity for the use of the vessel was imperative, and that he did not violate his orders. She had, it seems, been sent to Hilton Head by the owner for the chance of employment. Indeed, Mr. Clarke had applied to me to have the vessel employed, and I had refused to order her chartered and take the risk of getting her to Hilton Head, having been frequently disappointed in the endeavor to send under charters light draught steamboats to that place. They would loiter about the Chesapeake, or run into Hatteras Inlet, in stress of weather. Several chartered for Hilton Head never reached there. This vessel was unfortunate in her voyage, but finally reached Hilton Head; was there at a time when her services were needed by the quartermaster, who chartered her at $350 a day. General Hunter disapproved the charter, but the vessel continued in service. I directed that no payment should be made to her, and requested that General Hunter would investigate the whole subject.

General Hunter left the department of the south, and lately, when about to return to it, upon application of Mr. Bayard Clarke, indorsed his approval of the payment for the services of this steamer at $250 per day ; and upon this action of General Hunter I directed the vessel's certificates of service to be settled at this rate about the third of January.

Upon application from a committee of the House of Representatives, I have since written to Captain Fuller not to pay the bills, but to refer them to this office for settlement, intending to await the developement of any investigation by either House.

I am, very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster General.

Hon. J. W. GRIMES,
Chairman Committee on Charters of Transports,
Bank's Expedition.

WASHINGTON, *Thursday, January* 22, 1863.

P. H. WATSON, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your official position in the service of the United States.

Answer. I am Assistant Secretary of War.

Question. Do you know Amasa C. Hall, of Baltimore, in the State of Maryland?

Answer. I do not. I never saw him, to my knowledge.

Question. Do you know whether he has, during the last year and a half, been in the habit of transacting business with the government, and, if so, what is the character of it?

Answer. The records of the War Department show that a person of that name has been engaged in chartering vessels for the transport service of the United States, and in supplying coal, as a contractor, to the quartermaster's department.

Question. Did he ever render to the department a list of the vessels which he had chartered to the government?

Answer. He furnished through his counsel, William Sly, esq., of Baltimore, a sworn statement, embracing lists of the vessels that he had chartered to the government, specifying the names of the owners of some of them, the rates at which they were chartered, and the amount of commission that he received on the charter money. That statement was sworn to by Mr. Hall.

Question. State, if you please, whether the lists that you now hold in your hand are those original lists so furnished to the War Department by Mr. Hall's attorney?

Answer. They are the original papers furnished by him.

The lists are as follows:

P. H. WATSON.

[Lists furnished to the War Department by A. C. Hall.]

A A.

List of vessels chartered for Colonel Jos. Belger.

Date of charter.	Description and name of vessel.	Owner, captain, or agent's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per month.	Amount paid on charter.	Amount received on commission at 5 per cent.
1862.							
April 14	Schr. Juniatta Patton	E. Parker	261	$4 00	$1,044 00	$1,809 00	$90 45
15	Schr. Chrysolite	A. C. Hall	170	4 00	680 00	753 40	37 67
14	Schr. A. T. Rowland	T. W. Rowland	216	4 00	864 00	3,081 60	154 08
16	Schr. North Carolina	R. W. Bunting	108	4 00	432 00	907 20	45 36
16	Schr. East New Market	Levin H. Stewart	90	4 00	360 00	888 00	44 40
16	Schr. William Allen	Thos. C. Cranmer	363	4 00	1,452 00	8,448 00	422 40
16	Schr. L. W. Birdsale	A. C. Hall	167	4 00	668 00	1,060 00	53 00
8	Schr. Governor Burton	..do	268	4 00	1,072 00	3,340 00	167 00
17	Schr. Amytis	..do	106	4 00	424 00	1,045 80	52 29
17	Schr. Maria & Elizabeth	..do	245	4 00	980 00	.....	.....
18	Schr. Samuel Colt	G. W. Hilliard	166	4 00	664 00	2,044 00	102 20
18	Schr. Buena Vista	A. C. Hall	231	4 00	924 00	3,572 00	178 60
22	Schr. Kendrick Fish	John Wall	170	4 00	680 00	3,060 00	153 00
22	Schr. F. W. Johnston	A. C. Hall	94	4 00	376 00	852 20	42 61
22	Schr. N. L. Wassen	Harrison Mitchell	103	4 00	412 00	2,798 80	139 74
22	Schr. Olivia Buxton	Samuel P. Williams	90	4 00	360 00	1,548 00	77 40
22	Schr. Julian Franklin	S. F. Jewett	92	4 00	368 00	1,733 20	86 66
22	Schr. Clara Bell	W. Applegarth	124	4 00	496 00	.....	.....
23	Schr. A. H. Manchester	Asa W. Nickerson	273	4 00	1,092 00	4,860 00	243 00
23	Schr. Plandome	Robert T. Brown	266	4 00	1,064 00	3,990 60	199 53
24	Schr. David C. Foster	Joseph H. Townsend	127	4 00	508 00	2,404 40	120 22
24	Schr. R. C. Stannard	W. Applegarth	124	4 00	496 00	.....	.....
25	Schr. Mary P. Hudson	S. S. Hudson	295	4 00	1,180 00	7,124 20	356 21
28	Schr. Carrie	W. Applegarth & Son	110	4 00	440 00	.....	.....
28	Schr. J. H. Travers	John H. Adams	100	4 00	400 00	683 00	34 15
28	Schr. J. Gaslin	.....	85	4 00	340 00	.....	.....
28	Brig Aladdin	Wyler	260	4 00	1,040 00	5,333 20	266 66
30	Schr. T. R. Hammond	Gennish	106	4 00	424 00	2,216 00	110 80
30	Schr. French	.....	.....	.....	475 00	.....	.....
May 1	Schr. Mountain Eagle	Robert Hawes	195	4 00	780 00	1,540 00	77 00
2	Schr. Baltimore	M. A. Mitchell	120	4 00	480 00	937 80	46 89
1	Schr. Fisher	C. M. Jackson & Co.	112	4 00	448 00	1,416 00	70 80
7	Schr. M. A. Magee	John Magee	226	4 20	950 00	2,650 00	132 50
9	Brig W. Nicholas	William G. Foster	180	4 00	720 00	720 00	36 00
9	Schr. Emma Farbush	George E. Hundell	184	4 00	736 00	932 20	46 61
June 13	Schr. Justina	Kelsey & Gray	114	4 00	456 00	1,763 20	88 16
Aug. 11	Schr. Lawrence	Tugoe & Tall	125	3 80	475 00	.....	.....
11	Schr. Almira T.	W. Rhodes & Son	159	4 09	650 00	736 00	36 80
11	Schr. Clara Bell	W. Applegarth & Son	125	4 00	500 00	616 60	30 83
11	Schr. O. H. Tolla	R. Benilon	95	4 00	380 00	481 20	24 06
11	Schr. Carrie	James North	110	4 00	440 00	1,052 23	52 61
11	Schr. Federal Hill	L. Wheatley	110	4 00	440 00	557 20	27 86
11	Schr. Ontario	.....	75	4 05	340 00	408 00	20 40
11	Schr. Mountaineer	Roton	74	4 00	296 00	.....	.....
11	Schr. B. N. Fox	Holmes	148	4 00	592 00	730 00	36 50
11	Schr. Butterfly	W. Applegarth & Son	100	4 00	400 00	.....	.....
11	Schr. J. M. & A. J. Foxwell	Dunn	78	4 00	312 00	384 80	19 24
11	Schr. William & John	W. Applegarth & Son	95	4 00	380 00	481 20	24 06
12	Schr. J. R. Griffith	do	90	4 00	360 00	432 00	21 60
12	Schr. J. P. Spedden	do	92	4 00	368 00	.....	.....
12	Sloop Delaware	do	75	4 00	300 00	370 00	18 50
21	Schr. Ambition	do	100	4 00	400 00		
21	Schr. Louisiana	do	133	4 00	532 00	4,164 92	208 24
21	Schr. William Frazier	do	106	4 00	424 00		
28	Schr. Wonder	G. D. Halleck	190	4 00	760 00		
Sept. 3	Bark William	Kelsey & Gray	236	4 00	944 00	1,825 00	91 25
9	Schr. Robert Haley	W. Applegarth & Son	133	4 00	532 00	1,052 23	52 61
	Total	.....	.....	.....	.....	.....	4,339 95

List of vessels chartered for Colonel Jos. Belger.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Rate of pay per day.	Amount paid on charter.	Amount received on commission at 5 per cent.	When discharged.
1862.						
April 28	Barge Jno. Pickup	John Elliott	$12 00	$1,740 00	$87 00	
28	Barge Friendship	R. W. McClellan	12 00	1,884 00	94 20	October 1.
28	Barge California	David Forsyth	12 00	2,076 00	103 80	October 17.
28	Barge Great Republic		12 00	1,627 00	81 35	
28	Barge M. A. Duffy	Bernard Duffy	12 00	1,744 00	87 20	
28	Barge E. Reader	John Frick	12 00	1,740 00	87 00	
May 1	Barge Mary Ann Brown	Richard Brown	12 00			
1	Barge Lewis & Butler	Richard A. Rilott	15 00	1,815 00	90 75	
1	Barge P. S. Marsh	Jacob Shurtz	12 00	708 00	35 40	
1	Barge Chas. E. Morris	Junius Clinton	12 00	2,172 00	108 60	October 31.
2	Barge Lewis Wilson	Adam Bulmer	12 00			
2	Barge Orange	William Barker	12 00	1,832 00	91 60	
2	Barge T. Spencer	W. Lockridge & Co	12 00	1,728 00	86 40	
2	Barge Mary Linda		12 00	2,640 00	132 00	
2	Barge Chas. E. Steiner		12 00	2,132 00	106 60	October 31.
2	Barge J. Campbell		12 00	696 00	34 80	
2	Barge Judge Jones	James Murray	12 00	1,464 00	73 20	
2	Barge Gov. Johnston		12 00	1,704 00	85 20	
2	Barge David Wilmot	Robert Patterson	12 00	1,800 00	90 00	Sept. 28.
2	Barge Little Oliver		12 00	1,812 00	90 60	October 1.
2	Barge Jno. Adams	W. Lockridge & Co	12 00	1,692 00	84 60	
2	Barge Rhoderick Dhu	P. W. Blackburn	12 00	1,464 00	73 20	
2	Barge George Spencer	R. F. Calvill	12 00	2,148 00	107 40	
2	Barge Empire City	Edward Burke	12 00	1,728 00	86 40	Sept. 22.
2	Barge Edward	Jno. L. Hammond	12 00	360 00	18 00	
2	Barge Michael Fritz	do	12 00	360 00	18 00	
2	Barge Richard Heckscher	do	12 00	360 00	18 00	
3	Barge Rebecca	Samuel Root	12 00	1,968 00	98 40	
3	Barge M. J. Hanselman	Thomas Loudon	9 00	1,611 00	80 55	Sept. 30.
5	Barge D. J. Townsend	Jacob Shurts	12 00	1,824 00	91 20	
5	Barge Geo. W. Bearns	do	12 00	1,824 00	91 20	
5	Barge Jno. F. Morton	do	12 00	1,764 00	88 20	
5	Barge Swan	do	12 00	1,383 20	69 16	
5	Barge W. T. Anderson	do	12 00	2,052 00	102 60	
8	Barge Dutch Traveller	Leander Wood	9 00	1,242 00	62 10	
8	Barge Mazy Welch	Geo. W. Brewernan	9 00	1,314 00	65 70	October 1.
8	Barge Adolphus Fisher	G. H. Fittenberger	12 00	1,380 00	69 00	Discharged.
9	Barge Forest Flower	Thomas McColloch	9 00	1,233 00	61 65	
12	Barge Alexander the Great	Denis O'Brien	12 00	360 00	18 00	
5	Barge T. P. Strau.	Henry Long	9 00	1,593 00	79 65	
15	Barge Baltic		12 00	1,665 00	83 25	
Aug. 25	Barge Zouave	Jas. S. Patten	9 00	261 00	13 05	Sept. 22.
25	Barge Feronia	J. Hipple	9 00	261 00	13 05	Sept. 22.
25	Barge Seven Sisters	Charles Rinehart	9 00	234 00	11 70	Sept. 19.
25	Barge Carrie	John Hocklander	9 00	261 00	13 05	Sept. 22.
25	Barge Lizzie Arnold	J. L. Arnold	10 00	290 00	14 50	Sept. 22.
25	Barge Dr. W. W. Robins	S. H. Hocklander	10 00	370 00	18 50	Sept. 30.
26	Barge Gray Eagle	Sol. R. Shipe	9 00	225 00	11 25	Sept. 19.
26	Barge Martha & Sarah	John B. Miller	9 00	234 00	11 70	Sept. 20.
26	Barge Village Belle	Isaac Milliken	9 00	225 00	11 25	Sept. 19.
27	Barge Thomas Franklin	Jacob Piper	9 00	216 00	10 80	Sept. 19.
Sept. 6	Barge Jno. Wanner	C. Coblens	12 00			
6	Barge Frances	do	12 00			
	Total				3,060 81	

B B.

List of vessels chartered for the McClellan expedition.

Date of charter.	Description and name of vessel.	Owner or captain's name.	Tonnage.	Rate of pay per ton per month.	Rate of pay per month.	Amount paid on charter.	Amount received on commission at 5 per cent.
1862.							
Feb. 28	Schr. Isle of Pines.	Thomas E. Friend	199	$4 00	$796 00	$5,268 00	$263 40
26	Schr. Saratoga	John W. Adams	144	4 00	575 00	3,910 00	195 50
26	Schr. Lydia Ann	John M. Weaver	162	4 00	648 00	1,836 00	91 80
26	Schr. Caspian	Raymond Porter	162½	4 00	650 00	5,091 60	254 58
26	Schr. Suwassett	Isaac Soper	193	4 00	772 00	2,161 60	108 08
26	Schr. Benj. Butler	John P. Busby	184	4 00	736 00	5,127 60	256 38
26	Schr. Willard P. Phillips.	Samuel R. Smith	198	4 00	792 00	2,496 20	124 81
25	Schr. Red Eagle	W. B. Brown	250	4 00	1,000 00	2,860 00	143 00
25	Schr. E. W. Benton	E. Taylor	183	4 00	732 00	2,820 00	141 00
27	Schr. Ada Ames	A. C. Ames	246	4 00	984 00	2,755 00	137 75
27	Schr. Ellen	Harvy D. Leland	165	4 00	660 00	4,076 00	203 80
28	Schr. W. L. Dayton	Somers Hand	135	4 00	540 00	1,530 00	76 50
March 1	Schr. Marin Jane	Isaac A. Lay	219	4 00	876 00	6,920 00	346 00
1	Schr. A. J. Bird	James H. French	179	4 00	716 00	5,536 00	276 80
3	Schr. Wm. Phillips	William H. Mount	208	4 00	832 00	832 00	41 60
4	Schr. Alexander Law	Henry T. Wood	210	4 00	840 00	2,212 00	110 60
5	Schr. Eclipse	John J. Cook	269	4 00	960 00	6,620 00	331 00
5	Schr. Thomas Page	George W. France	160	4 00	640 00	1,728 00	86 40
5	Schr. Montezuma	H. C. Wyman	136	4 00	544 00	2,829 80	141 49
6	Schr. Samuel Eddy	Wesley Patton	276	4 00	1,104 00	7,139 20	356 96
5	Schr. Moonlight	George M. Stutes	260	4 00	1,040 00	10,688 40	534 42
7	Schr. John Wilson*	Henry J. Mills	67	.....	.....	.....	.....
7	Schr. Fair Wind	Bevan, Phillips & Co.	113	4 00	452 00	904 00	45 20
7	Schr. A. R. Whetmore	Mills Edwards	229	4 00	916 00	916 00	45 80
7	Schr. W. H. Rutan	John W. Sprague	171	4 00	684 00	2,724 00	136 20
8	Schr. Henry Finch	Henry Davy	280	4 00	1,120 00	2,986 60	149 33
8	Schr. Sea Nymph	Lemuel H. Conly	192	4 00	768 00	4,812 80	240 64
10	Schr. Moderator	A. S. Setts	217	4 00	868 00	4,340 00	217 00
10	Schr. Asa Eldridge.	Owen Prouott	128	4 00	512 00	2,500 00	125 00
10	Schr. M. C. Durfee	W. Bears	260	4 00	1,040 00	1,040 00	52 00
10	Schr. Susquehanna	W. Applegarth	77	4 00	308 00	.....	.....
11	Schr. William Spear.	.....do.	97	4 00	388 00	.....	.....
11	Schr. West Wind	Charles Burnett	247	4 00	988 00	3,952 00	197 60
15	Schr. Daniel Brown	Henry Heald	294	4 00	1,065 00	2,343 00	117 15
15	Schr. White Cloud	Amos C. Leavitt	153	4 00	600 00	1,340 00	67 00
15	Schr. S. E. Jones	Fountain Jones	198	4 00	750 00	1,825 00	91 25
15	Schr. Mary Ann	Charles Haley	137	4 00	500 00	1,816 60	90 83
15	Schr. Louisa Reeves	John A. Jones	163	4 00	600 00	1,460 00	73 00
15	Schr. Batavia	C. J. Ward	164	4 00	615 00	3,955 00	97 75
17	Schr. Herschel	J. H. Birdsale	297	4 00	1,100 00	6,413 00	320 65
17	Schr. Frémont†	John Spaulding	.....	.....	.....	.....	.....
18	Schr. Free Wind	E. R. Jones	168	4 00	672 00	672 00	33 60
8	Schr. Priscilla†	W. Applegarth	.....	.....	.....	.....	.....
	Schr. S. H. Poole†	.....do.	.....	.....	.....	.....	.....
8	Schr. John Farnum	Gideon Hall	229	4 00	916 00	6,717 20	335 86
	Total						6,757 83

* One trip, wood to Fortress Monroe. † One trip to Fortress Monroe.

List of vessels chartered for the McClellan expedition—Continued.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Rate of pay per day.	Amount received on charter.	Amount received on commission at 5 per cent.
1862.					
Feb. 26	Barge Captain F. S. Boas	Charles Deem	$10 00	$1,227 00	$61 35
26	Barge Olive Branch	Abraham Hollman	10 00	2,390 00	119 50
26	Barge Samuel Davis	Thomas Rourke	10 00	750 00	37 50
26	Barge Lady	John Raser	10 00	.....	.....
26	Barge M. Dallman	L. Britton	10 00	.....	.....
26	Barge F. Dutchman	William Myers	10 00	2,060 00	103 00
26	Barge William	William Gillen	10 00	2,090 00	104 50
26	Barge Thomas Maloney	Michael Fitzpatrick	10 00	.....	.....
26	Barge Henry Bartley	Thomas McBride	10 00	220 00	11 00
26	Barge Kate Sailor	Michael Kerkeslager	10 00	2,390 00	119 50
March 3	Barge Supply	William Curry	10 00	900 00	45 00
3	Barge Owen Gorman	Owen Brady	10 00	170 00	8 50
3	Barge Mary Ann	do.	10 00	2,140 00	107 00
3	Barge Union	Daniel Call	10 00	2,110 00	105 50
3	Barge S. Craig	William F. Hare, captain; Jno. S. Hammond, owner.	10 00	1,500 00	75 00
3	Barge W. T. Anderson	Jno. S. Hammond, owner; Patrick Maginnis, captain.	10 00	2,340 00	117 00
3	Barge Broad Mountain	James Carr	10 00	660 00	33 00
3	Barge Patrick Naulty	George Nahur	10 00	1,280 00	64 00
3	Barge Peter Clinton	George A. Teribill	10 00	1,200 00	60 00
3	Barge Western Star	John Moore	10 00	2,020 00	101 00
3	Barge M. L. Dawson	Thomas Jackson	10 00	1,840 00	92 00
3	Barge Charles Miller	Phillip Reilly	10 00	2,000 00	100 00
3	Barge M. Duffy	P Duffy	10 00	2,140 00	107 00
3	Barge T. C. Zulick	J. K. Dundore	10 00	180 00	9 00
3	Barge Dr. Shannon	Patrick Turus	10 00	1,180 00	59 00
3	Barge Catherine Hays	William Whalen	10 00	1,726 00	86 30
4	Barge Delaware	W. H. Bolton	60 00	4,200 00	210 00
8	Barge Metropolis	Jacob Shurts	10 00	1,260 00	63 00
8	Barge Princetown	do	10 00	660 00	33 00
12	Barge Helen Brown	W. H. Oler	10 00	.....	.....
	Total				2,031 65

C C.

List of steamers chartered.

Date of charter.	Name of steamer.	Name of owner or company.	Rate of pay per day.	Amount paid on charter.	Amount received on commission, at 5 per cent.
1862.					
Feb. 26	Baltimore	Friend, Ricketts & Co		$52,500 00	$2,625 00
26	Cecil	W. T. Rice		9,680 00	484 00
26	Kent*	S J. Pentz & Co		18,000 00	900 00
26	Pioneer	do		18,000 00	900 00
26	Wilson Small*	—— Smith	$210 00	16,500 00	825 00
26	Portsmouth	J. Tome, president		†3,000 00	300 00
26	Juniatta	do		†33,230 00	3,323 00
26	Pacific	do		1,500 00	75 00
26	Tug Ajax	John Henderson		13,320 00	666 00
26	Georgia	M. N Falls, president		21,000 00	1,050 00
26	Columbia	Dr. Wm. Gunton		69,000 00	3,450 00
26	Haswell	A. C. Hall		1,440 00	72 00
26	Fairy Queen	do		1,200 00	60 00
March 7	Tug Pilot	Joseph Baker	50 00	1,500 00	75 00
12	Tug Patapsco	A. C Hall		12,295 00	614 75
18	Tug Jos. Baker	J. H. Barton	65 00	12,805 00	640 25
	Tug Edwin Forrest	A. C. Hall			
	Major Brewerton	Mayor and city council			
	Total				16,060 00

* Discharged. † Commission at 10 per cent.

D D.

List of vessels chartered.

Date of charter.	Description and name of vessel.	Owner or captain's name.	Rate of pay per day.	Am't paid on charter.	Am't rec'd on commis'n at five per cent.
1862.					
March 27	Iowa barge	Henry R. Boyer	$12 00	$2,112 00	$105 60
29	Winekoop do	G. Q. Brokaw	12 00	1,008 00	50 40
29	Samuel Wooley do		12 00	2,220 00	111 00
April 1	Vera Cruz do	Andrew Byrnes	12 00	1,020 00	51 00
1	Little Sallie do	J. Monogue	12 00	1,836 00	91 80
1	Planet do	Michael Cary	12 00	2,196 00	109 80
1	Nevada do	John Mathews	12 00	1,572 00	78 60
1	Young Henry do	John Farrell	12 00	1,500 00	75 00
1	Mary Connolly do	Michael Connolly	12 00	2,436 00	121 80
1	Tom O'Neal do	William Fox	12 00	2,192 00	109 60
2	James Tonar do	John Powell	12 00	2,196 00	109 80
2	Niagara do	Charles Willoner	12 00	1,056 00	52 80
3	Agnes Gibson do	Lawrence Leary	12 00	2,436 00	121 80
3	J. M. Riplier do	Richard Connolly	12 00	2,184 00	109 20
5	Cape May do	Charles Cantner	12 00	2,508 00	125 40
7	A C. Page do	W. S. Bachman	12 00	2,020 00	101 00
7	Andrew Buckley do	William Buckley	12 00	2,100 00	105 00
7	Uphamia do	Denis Buckley	12 00	2,136 00	106 80
	Nightingale do	Michael Deegan	12 00	1,440 00	72 00
	Total				1,808 40

List of vessels chartered for the McClellan expedition—Continued.

Date of charter.	Name and description of vessel.	Owner or captain's name.	Rate of pay per day.	Amount received on charter.	Amount received on commission at 5 per cent.
1862.					
Feb. 26	Barge Captain F. S. Boas	Charles Deem	$10 00	$1,227 00	$61 35
26	Barge Olive Branch	Abraham Hollman	10 00	2,390 00	119 50
26	Barge Samuel Davis	Thomas Rourke	10 00	750 00	37 50
26	Barge Lady	John Raser	10 00	.....	.....
26	Barge M. Dallman	L. Britton	10 00	.....	.....
26	Barge F. Dutchman	William Myers	10 00	2,060 00	103 00
26	Barge William	William Gillen	10 00	2,090 00	104 50
26	Barge Thomas Maloney	Michael Fitzpatrick	10 00	.....	.....
26	Barge Henry Bartley	Thomas McBride	10 00	220 00	11 00
26	Barge Kate Sailor	Michael Kerkeslager	10 00	2,390 00	119 50
March 3	Barge Supply	William Curry	10 00	900 00	45 00
3	Barge Owen Gorman	Owen Brady	10 00	170 00	8 50
3	Barge Mary Ann	do.	10 00	2,140 00	107 00
3	Barge Union	Daniel Call	10 00	2,110 00	105 50
3	Barge S. Craig	William F. Hare, captain; Jno. S. Hammond, owner.	10 00	1,500 00	75 00
3	Barge W. T. Anderson	Jno. S. Hammond, owner; Patrick Maginnis, captain.	10 00	2,340 00	117 00
3	Barge Broad Mountain	James Carr	10 00	660 00	33 00
3	Barge Patrick Naulty	George Nahur	10 00	1,280 00	64 00
3	Barge Peter Clinton	George A. Teribill	10 00	1,200 00	60 00
3	Barge Western Star	John Moore	10 00	2,020 00	101 00
3	Barge M. L. Dawson	Thomas Jackson	10 00	1,840 00	92 00
3	Barge Charles Miller	Phillip Reilly	10 00	2,000 00	100 00
3	Barge M. Duffy	P Duffy	10 00	2,140 00	107 00
3	Barge T. C. Zulick	J. K. Dundore	10 00	180 00	9 00
3	Barge Dr. Shannon	Patrick Turus	10 00	1,180 00	59 00
3	Barge Catherine Hays	William Whalen	10 00	1,726 00	86 30
4	Barge Delaware	W. H. Bolton	60 00	4,200 00	210 00
8	Barge Metropolis	Jacob Shurts	10 00	1,260 00	63 00
8	Barge Princetown	do	10 00	660 00	33 00
12	Barge Helen Brown	W. H. Oler	10 00	.....	.....
	Total				2,031 65

C C.

List of steamers chartered.

Date of charter.	Name of steamer.	Name of owner or company.	Rate of pay per day.	Amount paid on charter.	Amount received on commission, at 5 per cent.
1862.					
Feb. 26	Baltimore	Friend, Ricketts & Co		$52,500 00	$2,625 00
26	Cecil	W. T. Rice		9,680 00	484 00
26	Kent*	S J. Pentz & Co		18,000 00	900 00
26	Pioneer	do		18,000 00	900 00
26	Wilson Small*	—— Smith	$210 00	16,500 00	825 00
26	Portsmouth	J. Tome, president		†3,000 00	300 00
26	Juniatta	do		†3,230 00	3,323 00
26	Pacific	do		1,500 00	75 00
26	Tug Ajax	John Henderson		13,320 00	666 00
26	Georgia	M. N Falls, president		21,000 00	1,050 00
26	Columbia	Dr. Wm. Gunton		69,000 00	3,450 00
26	Haswell	A. C. Hall		1,440 00	72 00
26	Fairy Queen	do		1,200 00	60 00
March 7	Tug Pilot	Joseph Baker	50 00	1,500 00	75 00
12	Tug Patapsco	A. C Hall		12,295 00	614 75
18	Tug Jos. Baker	J. H. Barton	65 00	12,805 00	640 25
	Tug Edwin Forrest	A. C. Hall			
	Major Brewerton	Mayor and city council			
	Total				16,060 00

* Discharged. † Commission at 10 per cent.

D D.

List of vessels chartered.

Date of charter.	Description and name of vessel.	Owner or captain's name.	Rate of pay per day.	Am't paid on charter.	Am't rec'd on commis'n at five per cent.
1862.					
March 27	Iowa barge	Henry R. Boyer	$12 00	$2,112 00	$105 60
29	Winekoop do	G. Q. Brokaw	12 00	1,008 00	50 40
29	Samuel Wooley do		12 00	2,220 00	111 00
April 1	Vera Cruz do	Andrew Byrnes	12 00	1,020 00	51 00
1	Little Sallie do	J. Monogue	12 00	1,836 00	91 80
1	Planet do	Michael Cary	12 00	2,196 00	109 80
1	Nevada do	John Mathews	12 00	1,572 00	78 60
1	Young Henry do	John Farrell	12 00	1,500 00	75 00
1	Mary Connolly do	Michael Connolly	12 00	2,436 00	121 80
1	Tom O'Neal do	William Fox	12 00	2,192 00	109 60
2	James Tonar do	John Powell	12 00	2,196 00	109 80
2	Niagara do	Charles Willoner	12 00	1,056 00	52 80
3	Agnes Gibson do	Lawrence Leary	12 00	2,436 00	121 80
3	J. M. Riplier do	Richard Connolly	12 00	2,184 00	109 20
5	Cape May do	Charles Cantner	12 00	2,508 00	125 40
7	A C. Page do	W. S. Bachman	12 00	2,020 00	101 00
7	Andrew Buckley do	William Buckley	12 00	2,100 00	105 00
7	Uphamia do	Denis Buckley	12 00	2,136 00	106 80
	Nightingale do	Michael Deegan	12 00	1,440 00	72 00
	Total				1,808 40

List of vessels chartered, per orders of Colonel D. C. McCullum.

Date of charter.	Name and description of vessel.	Owners or captain's name.	Tonnage.	Rate of pay at $4 per ton per month.	Amount paid on charter.	Amount received on commission at 5 per cent.	Rate of pay per ton per month.
1862.							
Mar. 18	Ella.....schooner.	Chas. H. Marston, captain.	212	$795 00	$4,955 00	$247 75	$3 75
18	James Jones.... do....	C. H. Hazleton.... do....	247	950 00	6,724 40	336 22	3 84
21	Norman..... ...do...	B. Atwood, jr..... do....	220	880 00	3,784 00	189 20	4 00
21	Minnehaha.....do....	John H. Young ... do..	140	560 00	1,637 40	81 87	4 00
21	Mary Brewer ... do....	J. B. Wood ....do....	115	460 00	3,174 00	158 70	4 00
25	E. Nickerson .....do....	Cyrus Nickerson...do...	229	916 00	2,733 20	136 66	4 00
25	E. Doane.....brig...	Geo. H. Loring.... do....	187	748 00	2,118 00	105 90	4 00
25	Geo. W. Glover, schooner.	Winslow Thomas...do. ..	116	468 00	1,082 60	54 13	4 03
25	Algomar ....do....	William Hayes.....do....	125	500 00	1,033 20	51 66	4 00
24	Israel H. Day..... do...	Davis Chase .....do....	253	916 00	5,589 60	279 48	3 62
24	J. H. Burnett.....do....	Dan'l Ireland .... do ..	192	768 00	4,772 00	238 60	4 00
26	Davison. ....do ..	Chas. Jackson .....do ...	94	376 00	1,052 00	52 60	4 00
26	W. H. Mailler .....do....	Seth C. Arey. .....do....	191	764 00	1,349 00	67 45	4 00
26	Vincent Barkelew..do....	Clark Burdick.....do ..	84	336 00	1,097 60	54 88	4 00
27	Rich'd A. Wood....do....	J. B. Cranmer.... do....	298	1,100 00	6,196 60	309 83	3 69
27	Lucy Clinch.....do...	Alden H. Adams .. do....	204	816 00	4,871 40	243 57	4 00
27	Benj. L. Berry.....do....	Geo. B. Weaver....do....	190	760 00	4,282 20	214 11	4 00
27	S. D. Hart. .....do...	Isaac Wall ....do....	165	660 00	3,984 00	199 20	4 00
28	George and Emily..do....	S. S. Harris .. ..do ..	130	520 00	2,929 20	146 46	4 00
29	Lucy Alexander...do	E. K. Alexander ...do....	145	580 00	3,835 40	191 77	4 00
Apr. 25	S. L. Simmons ....do ..	Lewis Gandy ..... do...	223	892 00	1,385 00	69 25	4 00
26	Malabar... .....do ..	Mark Wiloh.....do....	127	508 00	1,354 60	67 73	4 00
23	Ellen Merryman ...do....	Chas. F. Hamilton..do....	129	516 00	1,240 00	62 00	4 00
28	Bengal.....do....	B. A. Pillsbury.....do....	103	412 00	1,277 00	63 85	4 00
29	Mary and Elizabeth.do....	Leonard W. Read ..do..	190	760 00	1,900 00	95 00	4 00
29	Young America....do....	J. and H. H. Post..owners.	142	568 00	927 80	46 39	4 00
May 1	Pennsylvania.....do ..	H. N. West ..... captain.	143	572 00	2,601 00	130 05	4 00
2	E. D. McClenahan..do....	Zebulon Mitchell...do....	114	456 00	2,024 25	101 21	4 00
2	John Forsyth .... do....	J. D. Applegate ....do....	247	988 00	4,706 00	235 30	4 00
4	Emma Amelia.....do ..	A. E. Harding.....do...	250	1,000 00	5,837 40	291 87	4 00
5	Mohawk ....do....	Henry Giles.....do....	141	564 00	2,746 20	137 31	4 00
5	E. W. Farrington...do....	James Robinson ...do....	211	844 00	3,685 00	184 25	4 00
6	Belle of Cape Ann..do....	W. H. Greene. ....do....	100	400 00	919 80	45 99	4 00
6	John Tilton .....do....	J. S. Lawrence.... do....	160	640 00	1,173 20	58 66	4 00
6	Luther Childs.....do....	Charles Kelly .... do ...	168	672 00	1,213 00	60 65	4 00
8	A. S. Eells..... ..do...	P. K. Harwood.....do....	118	472 00	2,249 60	112 48	4 00
9	Mountain Avenue..do....	F. G. Kelly .....do....	174	696 00	2,261 60	113 08	4 00
12	Geo. W. Grice.....do ...	John Palmer .....do....	118	472 00	2,489 40	124 47	4 00
12	Undine .....do ...	F. T. Crowell.....do....	100	400 00	1,013 00	50 65	4 00
20	Southerner .....do....	Wm. C. Harris.....do....	230	920 00	3,831 80	191 59	4 00
21	Typhoon .....do....	Zenas Treworgy ...do...	265	1,060 00	2,120 00	106 00	4 00
23	Alex. Law .....do....	Henry T. Wood....do....	211	844 00	3,854 20	192 71	4 00
June 9	Hamor ....do....	—— Hamor.....do....	120	480 00	383 00	19 15	4 00
10	Geo. W. Glover....do....	W. Thomas.....do	116	464 00	1,948 60	97 43	4 00
10	Wm. Gregory.....do....	Horace Buckley... do...	149	596 00	2,682 00	134 10	4 00
10	Juniatta Patton....do...	E. Parker .....do....	261	1,044 00	3,871 40	193 57	4 00
10	W. L. Dayton .....do....	Somers Hand.....do...	135	540 00	2,469 00	123 45	4 00
10	Harriet Baker.....do...	.....	150	600 00	3,000 00	150 00	4 00
13	Jas. H. Moore .....do....	Wm. Ingersoll .....do....	280	1,120 00	4,032 00	201 60	4 00
25	Stephen S. Lee....do....	.....	235	940 00	3,008 00	150 40	4 00
16	Julia Smith. .....do ...	John Orlando.....do....	182	728 00	3,276 00	163 80	4 00
26	Frances..... ....do ...	Dan'l Connell.....do....	223	892 00	3,181 40	159 07	4 00
Aug. 22	Joseph Holmes ....do....	B. F. Holmes .....do....	221	884 00	1,655 80	82 79	4 00
	Total.....	.....	.....	.....	.....	7,375 89	.....

[The following letter and accompanying document were received from Mr. Watson, subsequent to his giving the previous testimony:]

WAR DEPARTMENT,
Washington City, February 3, 1863.

SIR: In compliance with your request, Colonel James Belger, United States quartermaster at Baltimore, Maryland, was directed to furnish information in detail with reference to the vessels chartered, employed and repaired under his direction during the past year. He has forwarded the enclosed reports, which I am directed by the Secretary of War to transmit to you. Some further points of inquiry, not embraced in these reports, have been called to Colonel Belger's attention, and the additional information required will be communicated to you as soon as it is received.

I have the honor to be your obedient servant,

P. H. WATSON.

Hon. JAMES GRIMES,
United States Senate, Washington.

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, quartermaster, United States army.

Date.	Name of vessel.	Where repaired	To what extent.	By whom paid.	Cost of repairs.	Total.
1862.						
July 12	Steamer Alice Price	Baltimore	Repairing slice iron, &c	Colonel James Belger.	$1 00	
13	do	do	Caulking and materials	do	514 89	
14	do	do	Sheathing, &c., and materials	do	114 26	
14	do	do	Joiners' work, &c., and materials	do	109 12	
						$739 27
1861.						
Sept. 12	Steamer Balloon	do	Repairing hull, &c., and materials	do	300 80	
Dec. 13	do	do	Repairing grate bars, &c., and materials	do	105 76	
1862.						
Jan. 18	do	do	Caulking, &c., and materials	do	1,547 27	
24	do	do	Repairing engine, wheels, &c., and materials	do	749 50	
Feb. 21	do	do	Putting on screw bolts and rings	Not paid.	7 27	
April 15	do	do	Repairing boiler, &c., and materials	Colonel James Belger	263 01	
May 28	do	do	Repairing hose	do	5 25	
July 12	do	do	Caulking, carpentering, &c., and materials	do	469 72	
22	do	do	Putting on scupper, &c	do	55 61	
23	do	do	Painting and materials	do	92 52	
25	do	do	Making up cover, and materials	do	190 47	
Sept. 10	do	do	Blacksmiths' and joiners' work, &c., and materials	do	162 27	
Oct. 14	do	do	Repairing coffee boiler, &c., and materials	do	13 77	
Nov. 21	do	do	Repairing boiler, &c., and materials	Not paid	162 59	
						4,125 81
Aug. 30	Steamer Baltimore	do	Repairing sails and furnishing rope, &c	Colonel James Belger	395 57	
Sept 1	do	do	Caulking and carpentering, &c, and materials	do	170 35	
5	do	do	Repairing anchor stock, &c., and materials	do	29 43	
8	do	do	Repairing steam gauge, &c, and materials	Not paid.	317 43	
9	do	do	Joiners' work, &c., and lumber	Colonel James Belger	23 41	
						936 19
2	Steamer Belvidere	do	Painting, &c, and materials	do	114 92	
6	do	do	Joiners' work, carving, and materials.	do	303 09	
						418 01
15	Steamer Catskill	do	Carpentering, caulking, and materials	do	413 88	
20	do	do	Painting and glazing, and materials	do	26 60	
20	do	do	Repairing boiler, and materials	do	81 95	
24	do	do	Joiners' work, lumber, &c	do	157 02	
						679 45
March 19	Steamer Commerce	do	Carpentering, painting, caulking, &c	do	148 25	
Nov. 5	do	do	Millwrights' repairs, &c., and materials	Not paid	240 18	
6	do	do	Joiners' work, &c., and materials	Colonel James Belger	34 25	
7	do	do	Carpentering, caulking, materials, &c	do	444 49	
						867 17
Aug. 26	Steamer Champion	do	Repairing engine, &c., and materials	Not paid		451 71
July 21	Steamer Cossack	do	Glazing, and materials	Colonel James Belger	1 00	
21	do	do	Repairing machinery, and materials.	do	309 82	
21	do	do	Carpentering, caulking, and materials	do	170 17	

	21	do	do	Sheathing, &c., and materials	do	17 64	
Nov.	4	do	do	do do	do	241 85	
Dec.	6	do	do	Painting, and materials	do	1,010 02	
	10	do	do	Repairing deck covers, and materials	do	631 62	
	10	do	do	Carpentering, calking, materials, &c	do	3,308 91	
	11	do	do	Repairing locks, &c., and materials	do	66 24	
	13	do	do	Repairing windlass, &c., and materials	Not paid	35 25	
	24	do	do	Carpentering, &c., and materials	Colonel James Belger	1,175 47	
							6,967 99
Oct.	9	Steamer Columbia	do	Calking, &c., and materials	do		1,494 00
Aug.	21	Steamer Donaldson	do	Carpentering, calking, mat-rials, &c	do	498 31	
	22	do	do	Fitting on metal, &c., and material	do	24 50	
	26	do	do	Joiners' work, &c., and material	do	151 77	
	26	do	do	Repairing guard irons, and material	do	14 68	
	28	do	do	Painting, glazing, and materials	do	74 97	
							694 23
1861.							
July	23	Steamer Eagle	do	do do	do	176 98	
Nov.	23	do	do	Carpentering work, &c., and materials	do	2,352 12	
	23	do	do	Repairing machinery, &c., and materials	do	677 26	
	23	do	do	Repairing hull, &c., and materials	do	47 50	
	23	do	do	Joiners' work, &c., and materials	do	259 09	
	26	do	do	Repairing water-gauge, &c., and materials	do	21 99	
1862.							
July	10	do	do	Calking, &c., and materials	Not paid	237 20	
	26	do	do	Repairing hose, and materials	Not paid	92 25	
	28	do	do	Repairing machinery, &c., and materials	Colonel James Belger	175 85	
	31	do	do	Repairing blocks, &c., and materials	do	80 75	
Aug.	2	do	do	Repairing anchors, machinery, materials, &c.	do	609 65	
	4	do	do	Repairing bells, &c., and materials	do	25 00	
	4	do	do	Fitting hawser pipe, &c., and materials	do	7 50	
	4	do	do	Carpenters' work, &c , and materials	do	1,594 01	
	4	do	do	Painting, &c., and materials	do	444 45	
	4	do	do	Carpenters' work, &c , and materials	do	3,210 33	
	4	do	do	Repairing sails, &c., and materials	do	573 05	
							10,338 00
March	25	Steamer Eastern State	do	Repairing machinery, &c., and materials	do	1,116 10	
	27	do	do	Carpenters' work, &c., and materials	do	3,122 32	
	29	do	do	Repairing bells	do	2 50	
Oct.	1	do	do	Repairing pumps, and materials	do	26 63	
	18	do	do	Painting, and materials	do	133 05	
	24	do	do	Carpenters' work, &c., and materials	do	62 98	
	24	do	do	Calking, &c., and materials	do	322 34	
	25	do	do	Repairing machinery, &c., and materials	do	750 96	
							5,536 88
Aug.	29	Steamer Edwin Lewis	do	Putting on metal, materials, &c	do		259 96
July	11	Steamer Edwin Forrest	do	Calking, and materials	do	277 20	
	18	do	do	Sheathing, &c., and material	do	23 08	
	22	do	do	Repairing machinery, and materials	do	73 71	
	23	do	do	Painting, &c , and materials	do	64 73	
	25	do	do	Putting on awning, materials, &c.	do	34 95	
	25	do	do	Joiners' work, &c., and materials	do	105 94	
							579 61
April	30	Steamer Express	do	Carpentering, &c., and materials	do		610 68

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date.	Name of vessel.	Where repaired.	To what extent.	By whom paid.	Cost of repairs.	Total.
1862.						
Nov. 29	Steamer J. F. Freeborn	Baltimore	Carpentering, &c., and materials	Not paid	$24 70	
Dec. 2	do	do	do	Not paid	30 66	
8	do	do	Painting, &c., and materials	Not paid	15 15	
						$70 51
Aug. 19	Steamer George Weems	do	Joiners' work, &c., and materials	Colonel James Belger	50 08	
Sept. 8	do	do	Carpenters' work, &c., and materials		95 05	
9	do	do	Repairing gauge, plates, &c		94 55	
10	do	do	Repairing stern, copper, &c		8 30	
11	do	do	Plumbing, materials, &c	Not paid	129 18	
Nov. 1	do	do	Joiners' work, &c., and materials	Colonel James Belger	1,050 35	
5	do	do	Repairing locks, &c., and materials	do	15 05	
11	do	do	Repairing sails, &c., and materials	do	184 54	
14	do	do	Repairing boilers, &c., and materials	Not paid	265 91	
15	do	do	Repairing gong, and materials	Colonel James Belger	35 55	
						1,858 56
Jan. 30	Steamer George Washington	do	Calking, &c., and materials	do	561 79	
April 10	do	do	Millwrights' work, &c., and materials	do	59 42	
Sept. 11	do	do	Glazing, &c., and materials	do	5 42	
11	do	do	Millwrights' work, &c., and materials	Not paid	184 91	
13	do	do	Joiners' work, &c., and materials	Colonel James Belger	143 35	
13	do	do	Repairing, and materials	do	4 51	
						959 40
Aug. 20	Steamer Georgia	do	Sheathing, &c., and materials	do	1,027 33	
Sept. 6	do	do	Carpenters' work, &c., and materials	do	1,098 77	
8	do	do	Repairing awnings, &c., and materials	do	492 53	
15	do	do	Joiners' work, &c., and materials	do	1,023 50	
						3,542 13
Aug. 8	Steamer Golden Gate	do	Pattern-makers' work, and materials	Not paid	79 08	
15	do	do	Painting, &c., and materials	Colonel James Belger	469 03	
15	do	do	Joiners' work, &c., and materials	do	730 39	
15	do	do	Repairing rudder, &c., and materials	do	345 00	
15	do	do	Repairing force-pumps, and materials	do	140 87	
15	do	do	Repairing awning, &c., and materials	do	500 08	
16	do	do	Repairing speaking tube, and materials	do	10 27	
18	do	do	Repairing machinery, &c., and materials	do	663 52	
						2,938 24
July 28	Steamer Guide	do	Joiners' work, &c., and materials	Not paid	18 20	
28	do	do	Millwrights' work, &c., and materials	Colonel James Belger	138 23	
Oct. 1	do	do	Joiners' work, &c., and materials	do	105 78	
6	do	do	Sheathing, &c., and materials	do	80 00	
10	do	do	Repairing machinery, &c., and materials	do	987 20	
10	do	do	Repairing rigging, &c., and materials	do	31 34	
10	do	do	Repairing awning, &c., and materials	do	1,646 16	
11	do	do	Carpenters' work, &c., and materials	do	1,493 15	

	27	do	do	Repairing stovepipe, &c., and materials	do	25 07	
	30	do	do	Carpenters' work, &c., and materials	Not paid	455 95	
	30	do	do	do	Not paid	71 06	
1861.							4,546 93
Sept.	12	Steamer Hugh Jenkins	do	do	Colonel James Belger	84 94	
	13	do	do	Repairing locks, &c., and materials	do	7 47	
1862							
July	30	do	do	Carpentering and painting, &c., and materials	do	5,494 39	
	31	do	do	Repairing awning, &c., and materials	do	447 51	
Aug.	2	do	do	Carpenters' work, &c., and materials	do	75 75	
	2	do	do	do	do	689 36	
	4	do	do	Repairing stoves, grates, &c., and materials	do	15 29	
	4	do	do	Joiners' work, &c., and materials	do	1,445 70	
	4	do	do	Boiler-makers' work, &c., and materials	do	4,256 02	
							12,516 43
Sept.	6	Steamer John Tucker	do	Carpenters' work, &c., and materials	do	418 29	
	8	do	do	Joiners' work, &c., and materials	do	419 25	
Sep. to Dec.		do	do	Millwrights' work, &c., and materials	do	3,177 86	
							4,015 40
May	19	Steamer J. R. Thompson	do	Calking, &c., and materials	do	37 91	
	24	do	do	Boilermakers' work, &c	do	11 81	
							49 72
July	14	Steamer Juniata	do	Carpenters' work, &c., and materials	do	265 46	
	15	do	do	Sheathing, &c., and materials	do	3 11	
							268 57
	17	do	do	Repairing eyebolts, &c., and materials	do	14 97	
	18	do	do	Repairing blocks, &c., and materials	do	8 95	
	18	do	do	Millwrights' work, &c., and materials	do	81 67	
	19	do	do	Repairing bells	do	4 50	
	20	do	do	Joiners' work, &c., and materials	do	214 67	
	21	do	do	Repairing awning, &c., and materials	do	18 40	
							343 16
Oct.	6	Steamer John Farren	do	Repairing hose, pipes, &c., and materials	do	127 49	
	20	do	do	Painting, &c., and materials	do	155 70	
	20	do	do	Scraping, &c., and materials	do	741 06	
	23	do	do	Millwrights' work, &c., and materials	Not paid	1,103 50	
							2,127 75
Sept.	26	Steamer Kent	do	Sheathing, &c., and materials	Colonel James Belger	173 20	
	30	do	do	Carpentering, calking, materials, &c	do	1,569 13	
Oct.	29	do	do	Repairing braces, &c., and materials	do	256 61	
	3	do	do	Repairing awning, &c., and materials	do	794 05	
Nov.	11	do	do	Painting, &c., and materials	do	580 25	
	11	do	do	Millwrights' work, &c., and materials	Not paid	1,099 34	
							4,472 58
May	17	Steamer Kingston	do	Calking, painting, &c., and materials	Colonel James Belger	1,210 00	
Nov.	11	do	do	Repairing awning, materials, &c	do	148 27	
	14	do	do	Carpenters' work, &c., and materials	do	566 13	
							1,924 40
Aug.	1	Steamer Knickerbocker	do	Boiler-makers' work, &c., and materials	do		217 14
May	20	Steamer Long Branch	do	Joiners' work, &c., and materials	do	457 15	

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date.	Name of vessel.	Where repaired.	To what extent.	By whom paid.	Cost of repairs	Total.
1862.						
June 10	Steamer Long Branch	Baltimore	Carpenters' work, &c., and materials	Colonel James Belger	$675 45	
11	do	do	Sheathing, &c., and materials	do	369 73	
14	do	do	Repairing bolts, &c., and materials	do	166 63	
16	do	do	Fitting hawser pipe, &c., and materials	do	8 50	
18	do	do	Boiler-makers' work, &c., and materials	do	578 86	
21	do	do	Painting, materials, &c	do	137 49	
Aug. 30	do	do	Repairing rigging, &c., and materials	do	13 00	
						$2,406 81
Sept. 10	Steamer Mary Washington	do	Millwrights' work, &c., and materials	Not paid	233 16	
19	do	do	Joiners' work, &c , and materials	Colonel James Belger	288 29	
						521 45
May 29	Steamer Metamora	do	Repairing awnings, &c., and materials	do	32 35	
30	do	do	Joiners' work, &c., and materials	do	361 90	
31	do	do	Painting, &c., and materials	do	281 82	
31	do	do	Pattern-makers' work, &c., and materials	do	1,148 04	
Aug. 27	do	do	Carpenters' work, &c., and materials	do	2,623 41	
						4,447 52
July 2	Steamer Nantasket	do	Carpentering, calking, &c., and materials	do		2,127 61
May 26	Steamer Nelly Baker	do	Joiners' work, &c., and materials	do	1,608 96	
29	do	do	Boiler-makers' work, &c., and materials	do	409 20	
Nov. 8	do	do	Joiners' work, &c., and materials	do	27 00	
11	do	do	Millwrights' work, &c., and materials	Not paid	192 63	
11	do	do	Carpenters' work, &c., and materials	Not paid	25 46	
Dec. 26	do	do	Glazing, &c., and materials	Not paid	4 50	
						2,267 75
March 29	Steamer New York	do	Carpentering, calking, &c., and materials	Colonel James Belger	89 62	
29	do	do	Boiler-makers' work, &c., and materials	do	68 99	
						158 61
Aug. 4	Steamer Octorara	do	Carpenters' work, &c., and materials	do	27 00	
9	do	do	Repairing awning, materials, &c	do	200 05	
15	do	do	Painting, &c., and materials	do	95 06	
18	do	do	Repairing bolts, &c., and materials	do	17 14	
						339 25
June 14	Steamer Pioneer	do	Painting, &c., and materials	do	351 00	
26	do	do	Repairing rudder, &c., and materials	do	291 63	
27	do	do	Carpenters' work, &c., and materials	do	857 75	
28	do	do	Boiler-makers' work, &c., and materials	do	551 79	
July 31	do	do	Joiners' work, &c., and materials	do	814 69	
31	do	do	Repairing blocks, &c , and materials	do	102 80	
31	do	do	Repairing bolts, &c., and materials	do	20 00	
Aug. 1	do	do	Carpenters' work, &c., and materials	do	1,696 04	
1	do	do	Repairing side lights, materials, &c	do	174 48	
1	do	do	Painting, &c., and materials	do	360 48	
1	do	do	Pattern-makers' work, &c., and materials	do	296 29	

	1	do	do	Repairing lamps, &c., and materials	do	45 85	
	1	do	do	Repairing awning, &c., and materials	do	938 32	
	1	do	do	Blacksmiths' work, &c., and materials	do	173 07	
							6,674 12
Sept	10	Steamer Planter	do	Joiners' work, &c., and materials	do		69 15
Oct.	9	Steamer George Peabody	do	Repairing water-tank, &c., and materials	do	12 00	
	11	do	do	Carpenters' work, &c., and materials	do	836 31	
	22	do	do	Joiners' work, &c., and materials	do	486 92	
							1,335 23
Dec.	15	Steamer Putnam	do	do do	do		99 45
June	24	Steamer Rockland	do	Fitting bush sheaves, &c., and materials	do	3 25	
	28	do	do	Sheathing, &c., and materials	do	66 47	
July	7	do	do	Repairing bolts, &c., and materials	do	53 39	
	7	do	do	Carpentering, scraping, &c., and materials	do	670 55	
	10	do	do	Painting, &c., and materials	do	105 93	
	10	do	do	Joiners' work, &c., and materials	do	278 39	
	10	do	do	Millwrights' work, &c., and materials	Not paid	148 71	
							1,326 62
Nov.	25	Steamer Ranger	do	Calking, carpentering, &c., and materials	Colonel James Belger	985 44	
Dec.	17	do	do	Carpenters' work, &c., and dockage	Not paid	1,822 75	
	19	do	do	Painting, &c., and dockage	Not paid	639 85	
							3,448 04
July	31	Steamer R. Morris	do	Carpenters' work, &c., and dockage	Colonel James Belger		1,000 63
Sept.	18	Steamer Staten Islander	do	do do	do	834 40	
Oct.	3	do	do	Sheathing, &c., and dockage	do	119 51	
	4	do	do	Joiners' work, &c., and dockage	do	147 13	
	8	do	do	Blacksmiths' work, &c., and dockage	do	111 85	
	11	do	do	Millwrights' work, &c., and dockage	Not paid	258 81	
	13	do	do	Painting, &c., and dockage	Not paid	197 52	
							1,669 22
1861.							
Nov.	4	Steamer Star	do	Repairing, painting, &c., and dockage	Colonel James Belger	199 05	
	12	do	do	Calking, &c., and dockage	do	879 81	
	22	do	do	Repairing engine, &c., and dockage	do	329 20	
	28	do	do	Carpenters' work, &c., and materials	do	192 90	
Dec.	31	do	do	do do	do	2,675 44	
	31	do	do	Carpentering, painting, &c., and materials	do	3,877 64	
1862.							
Jan.	9	do	do	Repairing cap, &c.	do	62	
	11	do	do	Boiler-makers' work, &c., and materials	do	945 10	
	23	do	do	Joiners' work, &c., and materials	do	688 03	
Jan.	27	do	do	Boiler-makers' work, &c., and materials	do	101 37	
Mar.	6	do	do	Carpenters' work, &c., and materials	do	591 38	
May	31	do	do	Repairing awning, and materials	do	16 37	
Aug.	6	do	do	do	do	422 77	
Oct.	25	do	do	Repairing anchor, &c., and materials	do	10 66	
	27	do	do	Carpenters' work, &c., and materials	do	7 41	
	27	do	do	Repairing pipe, &c., and materials	do	15 51	
	28	do	do	Joiners' work, &c., and materials	do	64 88	
							11,018 14
Sept.	30	Steamer T. F. Secor	do	Repairing locks, &c., and materials	do	24 27	
Oct.	1	do	do	Joiners' work, &c., and materials	do	299 52	
	4	do	do	Millwrights' work, &c., and materials	Not paid	196 64	

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date.	Name of vessel.	Where repaired.	To what extent.	By whom paid.	Cost of repairs.	Total.
1862.						
Oct. 4	Steamer T. F. Secor	Baltimore	Scraping, &c., and materials	Colonel James Belger	$757 16	$1,277 59
9	Steamer Seth Low	do	Calking, &c., and materials	do	83 34	
13	do	do	Repairing machinery, &c., and materials	do	143 46	226 80
July 12	Steamer South America	do	Repairing bolts, &c., and materials	do	20 23	
17	do	do	Repairing gongs, &c.	do	10 00	
18	do	do	Joiners' work, &c., and materials	do	65 40	
18	do	do	Repairing machinery, &c., and materials	do	437 14	
19	do	do	Repairing awning, &c., and materials	do	524 07	1,056 84
8	Steamer Thomas Sparks	do	Repairing scuppers, &c., and materials	Not paid		9 30
Sept. 1	Steamer Thomas Foulks	do	Painting, &c., and materials	Colonel James Belger	73 95	
16	do	do	Repairing engines, &c., and materials	Not paid	373 79	
19	do	do	Joiners' work, &c., and materials	Colonel James Belger	70 51	518 25
April 5	Steamer Thomas Jefferson	do	do do	do	453 50	
7	do	do	Carpenters' work, &c., and materials	do	1,098 64	
July 18	do	do	do do	do	152 47	
18	do	do	Joiners' work, &c., and materials	do	85 47	
Oct. 6	do	do	Carpenters' work, &c., and materials	do	699 99	2,490 07
Dec. 30	Steamer Union	do	Painting, &c., and materials	Not paid	942 42	
31	do	do	Joiners' work, &c., and materials	Not paid	1,593 05	
31	do	do	Carpenters' work, &c., and materials	Not paid	175 44	2,710 91
May 26	Steamer Wilson Small	do	do do	Colonel James Belger	583 09	
26	do	do	Joiners' work, &c., and materials	do	326 11	
Aug. 27	do	do	Carpentering, calking, &c., and materials	do	633 00	1,542 20
April 19	Steamer William Wheldon	do	Repairing boilers, &c., and materials	do		125 79
Mar. 31	Steam-tug America	do	Carpenting, calking, &c., and materials	do		924 56
Sept. 22	Steam tug J. M. Lewis	do	Boiler-makers' work, &c., and materials	Not paid	105 02	
22	do	do	Carpenters' work, &c., and materials	Colonel James Belger	277 10	382 12
Aug. 23	Steam-tug Lioness	do	Sheathing, &c., and materials	do	31 51	
24	do	do	Repairing rudder, &c., and materials	do	91 00	
25	do	do	Painting, &c., and materials	do	169 42	
26	do	do	Repairing awning, &c., and materials	do	61 62	
27	do	do	Repairing bells, &c., and materials	do	34 19	
27	do	do	Joiners' work, &c., and materials	do	279 55	
27	do	do	Carpenters' work, &c., and materials	do	337 83	1,005 12
June 25	Steam tug Major Brewerton	do	Painting, &c., and materials	do	32 18	

	28	do	do	Carpenters' work, &c., and materials	do	39 94	
	28	do	do	Joiners' work, &c , and materials	do	35 65	
							107 77
	28	Steam-tug Tempest	do	Repairing rudder, &c., and materials	do	20 51	
May	8	do	do	Repairing bells, &c., and materials	do	18 89	
	8	do	do	Carpenters' work, &c., and materials	do	221 42	
	9	do	do	Joiners' work, &c., and materials	do	68 31	
	10	do	do	Painting, &c., and materials	do	87 85	
							416 98
Aug.	16	Bark Voltiguer	do	Repairing bolts, &c., and materials	do	31 80	
	18	do	do	Sheathing, &c., and materials	do	1,106 23	
	26	do	do	Repairing anchors, bolts &c., and materials	do	311 29	
	26	do	do	Painting, &c., and materials	do	200 56	
	28	do	do	Repairing capstan, &c., and materials	do	44 45	
	28	do	do	Carpentering, calking, &c., and materials	do	1,486 60	
	29	do	do	Repairing windlass, &c., and materials	do	129 25	
	29	do	do	Repairing awning, &c., and materials	do	747 96	
	30	do	do	Repairing rigging, &c , and materials	do	848 50	
Aug.	30	do	do	Joiners' work, &c., and materials	do	583 44	
Sept.	1	do	do	Repairing breakers, and materials	do	4 80	
							5,494 88
Nov.	14	Brig S. D. Hart	do	Carpenters' work, and materials	do	118 34	
	14	do	do	Repairing bolts, and materials	do	3 53	
							121 87
Sept.	29	Brig Hope	do	Carpenters' work, and materials	do		21 00
May	3	Brig Aladdin	do	do do	do		8 75
March	27	Schooner D. M. French	do	Repairing rigging, and materials	do		122 99
Nov.	11	Schooner H. D. Hart	do	Carpenters' work, and materials	do		13 00
Oct.	29	Schooner Isle of Pines	do	Carpenters' work, and materials	do	111 97	
	29	do	do	Joiners' work, and materials	Not paid	30 35	
							142 32
Sept.	25	Schooner Julia Franklin	do	Repairing rigging, and materials	Colonel James Belger	90 50	
	26	do	do	Repairing mast, and materials	do	20 17	
	26	do	do	Joiners' work, and materials	do	31 54	
	26	do	do	Calking and carpentering, and materials	do	523 49	
	28	do	do	Repairing wheel, and materials	do	21 95	
							617 65
Oct.	2	Schooner J. A. Stevens	do	Carpentering, calking, and materials	do		210 49
Sept.	22	Schooner J. M. Lewis	do	Painting, &c., and materials	do		209 17
Aug.	27	Schooner Lucy Church	do	Repairing bolts, and materials	do		41 64
May	24	Schooner Golden Rule	do	Carpenters' work, and materials	do		156 67
Sept.	13	Schooner Providence	do	Repairing bolts, and materials	do	7 87	
	16	do	do	Repairing rigging, and materials	do	7 50	
	17	do	do	Joiners' work, and materials	do	22 22	
	17	do	do	Carpenters' work, and materials	do	239 29	
							276 95
Oct.	7	Schooner Samuel Eddy	do	Repairing anchors and windlass, and materials	do	52 87	
	10	do	do	Repairing rigging, &c., and materials	do	26 78	
	14	do	do	Joiners' work, and materials	do	55 13	
	7	do	do	Carpenters' work, and materials	do	447 27	
							582 05
April	11	Schooner W. H. Dennis	do	do do	do		631 02

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date.	Name of vessel.	Where repaired.	To what extent.	By whom paid.	Cost of repairs	Total.
1862.						
Sept. 21	Schooner T. C. Worrell	Baltimore	Carpenters' work, and materials	Not paid	$7 68	
22	do	do	Repairing stays, and materials	Not paid	2 42	
22	do	do	Painting, &c., and materials	Not paid	61 15	
						$71 25
April 15	Schooner Governor Burton	do	Carpenters' work, &c., and materials	Colonel James Belger		7 87
May 2	Schooner D. C. Foster	do	do do	do		9 62
8	Schooner Mountain Eagle	do	do do	do		8 75
9	Schooner M. A. Magee	do	do do	do		9 62
13	Schooner Emma Firbush	do	do do	do		7 87
16	Schooner Wm. Phillips	do	do do	do		7 87
17	Schooner Ocean Ranger	do	do do	do		6 12
Oct. 29	Barge Andrew Buckley	do	Repairing bolts, and materials	do	8 00	
30	do	do	Carpentering, calking, and materials	do	332 70	
						340 70
Nov. 10	Barge California	do	do do	do	199 82	
19	do	do	Repairing bolts, and materials	do	4 29	
						204 11
July 28	Barge Delaware	do	Fitting in hawser pipe, and materials	do	3 50	
29	do	do	Repairing awning, &c., and materials	do	270 00	
31	do	do	Carpenters' work, materials, &c	do	723 18	
Aug. 6	do	do	Repairing braces, steering gear, &c	do	88 00	
7	do	do	Repairing wheel, &c, and materials	do	28 31	
7	do	do	Carpenters' work, &c, and materials	do	633 55	
12	do	do	Painting, &c., and materials	do	86 89	
						1,833 43
Oct. 14	Barge Friendship	do	Carpenters' work, &c., and materials	do		150 00
6	Barge John Pickup	do	do do	Not paid		322 04

CONSOLIDATED.

Repairs paid	$125,696 25
Repairs not paid	12,364 21
	138,060 46

This report is arranged alphabetically, in order that it can be more readily referred to, which will account for the dates not running regularly through it. The report contains all amounts paid and remaining due for repairs done on vessels sent here from the 23d of July, 1861, to the 31st of December, 1862.

JAMES BELGER,
Colonel and Quartermaster, United States Army.

CHIEF QUARTERMASTER'S OFFICE, *Baltimore, Maryland, January 27, 1863.*

Report of vessels repaired and ordered to be repaired at Baltimore, Maryland, by Colonel James Belger, quartermaster, United States army, in the month of January, 1863.

Date.	Name of vessel.	By whom repaired.	Date of payment.	By whose order repaired.	Cost of repairs.	Extent of repairs.	Remarks.
Jan., 1863	Steamer Belvidere..	J. T. Fardy & Brother and C. Reeder.	Not paid.....	Col. James Belger, quartermaster ...	$250 00	.....	To be charged to owners as common wear and tear. Finished.
Jan., 1863	Steamer Champion.		....do.....	....do.....do	250 00	.....	Finished.
Jan., 1863	Steamer Express ...		...do.....	Lieut. Col. C. W. Thomas, quartermaster.	200 00	Bulwarks, new stanchions, rail, waist, and gangway boards.	Undergoing repairs.
Jan., 1863	St'r Mary Washington.		....do.....	Col. D. H. Rucker, quartermaster ...	5,000 00	Copper sheathing to the bottom.....	$2,000 to be paid by owners. Undergoing repairs.
Jan., 1863	Steamer Planter ...		....do.....	.....do.....do	250 00	New piece of stem, mooring chock, two large cleets, two wheel blocks, and new copper and nails to bow.	Undergoing repairs.

JAS. BELGER,
Colonel and Quartermaster, United States Army.

CHIEF QUARTERMASTER'S OFFICE, *Baltimore, Maryland, February* 7, 1863.

Report of vessels chartered by Colonel James Belger, quartermaster, United States army, at Baltimore, Maryland, in the month of January, 1863.

Date of charter.	Name and description of vessel.	Tonnage.	From whom chartered.	By whom chartered.	Rate of pay.	For what purpose employed.
1863.						
Jan. 1	Schooner Ellen	165	R. M. Heslin	Col. James Belger	$660 per month.	Transportation
1	Schooner Citizen	98	Kelsey & Gray	do	392 do	do
2	Schooner A. C. Reeves	163	do	do	652 do	do
2	Schooner G. W. Carpenter	222	C. M. Jackson & Co	do	888 do	do
5	Schooner W. H. Mailler	191	Kelsey & Gray	do	764 do	do
8	Schooner W. L. Montague	166	Wm. Applegarth & Son	do	664 do	do
10	Schooner Martha Jane	191	Kelsey & Gray	do	764 do	do
12	Schooner Caroline C. Holmes	116	do	do	464 do	do
12	Schooner West Dennis	299	do	do	1,196 do	do
12	Schooner William Carroll	121	do	do	484 do	do
12	Schooner Butterfly	100	Wm. Applegarth & Son	do	400 do	do
12	Schooner Cordelia Newkirk	247	Kelsey & Gray	do	988 do	do
13	Schooner E. J. Scott	130	do	do	520 do	do
13	Schooner Ephraim and Anna	257	R. M. Heslin	do	1,028 do	do
13	Schooner L. W. Birdsale	167	do	do	668 do	do
15	Schooner Silver Star	178	Wm. Applegarth & Son	do	712 do	do
17	Schooner Squire & Brothers	163	Kelsey & Gray	do	652 do	do
1	Barge A. Sherwood & Co.		J. R. Seiler	do	10 per day	do
1	Barge Matthew Fife		James Welker	do	10 do	do
1	Barge Essex		Stephen Brader	do	10 do	do
1	Barge W. T. Forsyth		J. H. Hopewell	do	10 do	do
12	Barge Thomas Perrin		G. W. Hall	do	15 do	do
12	Barge M. Duffy		Owen Duffy	do	12 do	do
15	Barge Orange		William Barker	do	12 do	do
22	Barge Isaac Eckert		A. F. Seaman	do	10 do	do
22	Barge Naugatuck		J. G. Jacoby	do	10 do	do
24	Barge Mary Ann		Henry Eifert	do	10 do	do
24	Barge Hannah Lloyd		John Moran	do	10 do	do
24	Barge Lydia Ann		J. L. Lawrence	do	10 do	do
24	Barge Daniel Vouis		Henry Eifert	do	10 do	do
24	Barge David Wilson		John Vanhinning	do	10 do	do
26	Barge Joseph L. Allabaugh		John H. Dehaven	do	15 do	do

I certify that the above report is correct.

JAS. BELGER,
Colonel and Quartermaster, United States Army.

WAR DEPARTMENT,
Washington City, D. C., February 9, 1863.

SIR: I have the honor to transmit herewith the additional report of Colonel James Belger, quartermaster at Baltimore, called for by you, of vessels repaired at Baltimore, Maryland, under his direction, embracing the dates of such repairs, names of vessels repaired, names of persons by whom repaired, dates of payment, names of persons by whose order or request repaired, and cost of repairs.

Very respectfully, your obedient servant,

P. H. WATSON,
Assistant Secretary of War.

Hon. JAMES W. GRIMES,
Chairman of Select Committee, &c.

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date of repairs.	Name of vessel.	By whom repaired.	Date of payment.	By whose order or request repaired.	Cost of repairs.	Total.
1862.						
Oct. 1	Steamer Eastern State	Wm. P. Freeman	Dec. 9, 1862	Jas. C. Slat, Capt. and A. A. Qm	$26 63	
18	do	John Welch	Nov. 6, 1862	do do	133 05	
24	do	Wm. D. Harris	Dec. 24, 1862	do do	62 98	
24	do	J. J. Abraham & Sons	Not paid	do do	322 34	
25	do	John Wells & Son	Dec. 17, 1862	do do	750 96	
Dec. 15	do	do	Not paid	do do	31 60	
						$5,568 48
Aug. 29	Steamer Edwin Lewis	Henry Boss	Jan. 15, 1863	C. W. Thomas, A. Qm		259 96
July 11	Steamer Edwin Forrest	H. Thomas & Co	Oct. 14, 1862	do	277 20	
18	do	Henry Boss	Nov. 6, 1862	do	23 08	
22	do	Philip Sherwood	Oct. 28, 1862	do	73 71	
23	do	John Welch	Oct. 6, 1862	do	64 73	
25	do	Tregor & Tall	Oct. 22, 1862	do	34 95	
25	do	Wm. D. Harris	Oct. 29, 1862	do	105 94	
						579 61
April 30	Steamer Express	Jas. N. Muller, jr., & Co	July 19, 1862	Hon. John Tucker	610 68	
May 8	do	Benj. F. Bennet	Nov. 14, 1862	do	5 50	
9	do	Chas. Reeder	Not paid	do	1,539 22	
						2,155 40
Nov. 29	Steamer J. F. Freeborn	J. S. Beecham & Co	do	C. W. Thomas, Lt. Col. and A. Q. M.	24 70	
Dec. 2	do	J. P. Loane	do	do do	30 66	
8	do	Geo. J. Loane	Jan. 29, 1863	do do	15 15	
9	do	Chas. Reeder	Not paid	do do	130 53	
						201 04
Aug. 19	Steamer George Weems	Chas. W. Crookshanks	Jan. 21, 1863	D. H. Rucker, Col. and Qm	50 08	
Sept. 8	do	H. Thomas & Co	Oct. 14, 1862	do do	95 05	
9	do	Philip Sherwood	Oct. 28, 1862	do do	24 55	
10	do	Henry Boss	Jan. 15, 1863	do do	8 30	
11	do	Chas. Reeder	Jan. 28, 1863	do do	129 18	
11	do	Jas. Stuart, jr	Jan. 9, 1863	do do	49 22	
Nov. 1	do	J. Morris & Co	Jan. 8, 1863	do do	1,050 36	
5	do	Samuel E. Kirk	Jan. 9, 1863	do do	15 05	
11	do	Thos. H. Hooper	Dec. 24, 1862	do do	184 54	
11	do	Albert R. Robins	Feb. 3, 1863	do do	33 84	
14	do	Chas. Reeder	Jan. 28, 1863	do do	265 91	
15	do	Gibson & Bohaman	Jan. 15, 1863	do do	35 55	
						1,941 62
Jan. 30	Steamer George Washington	James N. Muller, jr., & Co	April 3, 1862	C. W. Thomas, Capt. and A. Qm	561 79	
April 10	do	Charles Reeder	Nov. 20, 1862	do do	59 42	
Sept. 11	do	John Welch	Nov. 28, 1862	do do	5 42	
11	do	Charles Reeder	Jan. 28, 1863	do do	184 91	
13	do	Charles T. Morris	Dec. 24, 1862	do do	143 35	
13	do	do	do	do do	4 51	
						959 40

Aug.	20	Steamer Georgia	Henry Boss	Jan.	15, 1863	do	do	1,027 33	
Sept.	6	do	H. Thomas & Co	Oct.	14, 1862	do	do	1,028 77	
	4	do	J. P. Jenkins	Dec.	13, 1862	do	do	188 65	
	8	do	James C. Wheeden & Son	Nov.	14, 1862	do	do	462 53	
	15	do	C. T. Morris	Oct.	9, 1862	do	do	1,023 50	
									3,730 78
Aug.	8	Steamer Golden Gate	Charles Reeder	Jan.	28, 1863	G. Tallmadge, Capt. and A. Qm		79 08	
	15	do	Thomas H. Travers	Sept.	19, 1862	do	do	469 03	
	15	do	William D. Harris	Oct.	29, 1862	do	do	730 39	
	15	do	Phillip Sherwood	Oct.	28, 1862	do	do	345 00	
	15	do	Henry Boss	Nov.	6, 1862	do	do	140 87	
	15	do	J. C. Wheeden & Son	Nov.	14, 1862	do	do	500 08	
	16	do	Samuel E. Kirk	Jan.	9, 1863	do	do	10 27	
	18	do	John Wells & Sons	Oct.	4, 1862	do	do	663 52	
									2,938 24
July	28	Steamer Guide	Birch & Co	Not paid		J. C. Slat, Capt. and A. Qm		18 20	
	28	do	Charles Reeder	Nov.	20, 1862	do	do	138 23	
Oct.	1	do	William D. Harris	Dec.	24, 1862	do	do	105 78	
	6	do	Henry Boss	Jan.	15, 1863	do	do	80 00	
	10	do	John Wells & Sons	Dec.	17, 1862	do	do	287 20	
	10	do	Barrows & Hanson	Nov.	21, 1862	do	do	31 34	
	10	do	Tregor & Tall	Nov.	11, 1862	do	do	1,648 18	
	11	do	H. Thomas & Co	Nov.	12, 1862	do	do	1,493 15	
	11	do	William Sherwood	Jan.	8, 1863	do	do	122 27	
	11	do	James Russell	Dec.	10, 1862	do	do	56 12	
	13	do	William A. Waddell	Dec.	9, 1862	do	do	14 38	
	27	do	William H. Stran & Co	Dec.	18, 1862	do	do	25 07	
	30	do	William D. Harris	Feb.	4, 1863	do	do	71 06	
	30	do	H. Thomas & Co	Not paid		do	do	455 95	
Dec.	10	do	Henry Boss	do		do	do	79 42	
									4,626 35
1861.									
Sept.	12	Steamer Hugh Jenkins	John T. Fardy & Bro	Dec.	14, 1861	Quartermaster General		84 94	
	13	do	Gibson & Bohaman	Jan.	15, 1862	do		7 47	
	14	do	Calvin Taggart	Jan.	29, 1862	do		51 00	
1862.									
July	30	do	John T. Fardy & Bro	Sept.	26, 1862	do		5,494 39	
	31	do	Tregor & Tall	Oct.	22, 1862	D. H. Rucker, Col. and Qm		447 51	
Aug.	2	do	Samuel E. Kirk	Oct.	21, 1862	do	do	75 75	
	2	do	Henry Boss	Nov.	6, 1862	do	do	689 36	
	4	do	William H. Stran & Co	Dec.	18, 1862	do	do	15 29	
	4	do	Birch & Co	Nov.	4, 1862	do	do	1,445 70	
	4	do	Charles Reeder	Nov.	20, 1862	do	do	4,256 02	
									12,567 43
Sept.	6	Steamer John Tucker	Kelly, Hazen & Co	Sept.	25, 1862	C. W. Thomas, Capt. and A. Qm		418 29	
	8	do	Birch & Co	Nov.	4, 1862	do	do	419 25	
	9	do	Charles Reeder	Nov.	20, 1862	do	do	2,718 64	
Nov.	17	do	do	Not paid		do	do	262 94	
Dec.	11	do	Kelly, Hazen & Co	do		do	do	82 08	
	16	do	Birch & Co	Feb.	5, 1863	do	do	92 20	
									3,993 40
May	19	Steamer J. R Thompson	John T. Fardy & Bro	Sept.	26, 1862	do	do	37 91	
	24	do	Charles Reeder	July	8, 1862	do	do	11 81	
									49 72

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date of repairs.	Name of vessel.	By whom repaired.	Date of payment.	By whose order or request repaired.	Cost of repairs.	Total.
1862.						
July 14	Steamer Juniata	H. Thomas & Co	Oct. 14, 1862	G. Tallmadge, Capt. and A. Qm	$265 46	
15	do.	Henry Boss	Nov. 6, 1862	do. do.	3 11	
17	do.	Philip Sherwood	Oct. 28, 1862	do. do.	14 97	
18	do.	William A. Waddell	Dec. 9, 1862	do. do.	8 95	
18	do.	Charles Reeder	Nov. 20, 1862	do. do.	81 67	
19	do.	Gibson & Bohaman	Jan. 15, 1863	do. do.	4 50	
20	do.	Birch & Co.	Nov. 4, 1862	do. do.	214 67	
21	do.	James C. Wheeden & Son	Nov. 14, 1862	do. do.	18 40	
						$611 73
Oct. 6	Steamer John Farren	Thomas C. Basshor & Co	Dec. 24, 1862	Herman Biggs, Lieut. Col. and Qm	127 49	
20	do.	John Welch	Jan. 13, 1863	do. do.	155 70	
20	do.	John T. Fardy & Bro	Dec. 17, 1862	do. do.	741 06	
23	do.	Charles Reeder	Jan. 28, 1863	do. do.	1,103 50	
						2,127 75
Sept. 26	Steamer Kent	Daniel McCahn	Dec. 24, 1862	Colonel James Belger, Qm	173 20	
30	do.	John H. Beecham & Bro	Jan. 9, 1863	do. do.	1,569 13	
Oct. 29	do.	Auld & Bowen	Jan. 15, 1863	do. do.	256 61	
3	do.	Thomas H. Hooper	Dec. 24, 1862	do. do.	794 05	
Nov. 11	do.	William H. Travers	Jan. 8, 1863	do. do.	580 25	
11	do.	Charles Reeder	Jan. 28, 1863	do. do.	1,099 34	
						4,472 58
May 17	Steamer Kingston	John T. Fardy & Bro	Aug. 27, 1862	G. Tallmadge, Capt. and A. Qm		
Nov. 11	do.	Thomas H. Hooper	Dec. 24, 1862	C. W. Thomas, A. Qm	148 27	
13	do.	Joseph G. Loane	Dec. 2, 1862	do.	445 87	
14	do.	John T. Fardy & Bro	Jan. 22, 1863	do.	566 13	
15	do.	George J. Loane	Dec. 24, 1862	do.	407 83	
						2,778 10
Aug. 1	Steamer Knickerbocker	Charles Reeder	Nov. 20, 1862	do.	1,210 00	217 14
May 20	Steamer Long Branch	Birch & Co	Nov. 4, 1862	John Tucker, Asst. Sec'y of War	457 15	
June 10	do.	H. Thomas & Co.	Oct. 14, 1862	do. do.	675 45	
10	do.	Henry Boss	Nov. 6, 1862	do. do.	369 73	
14	do.	Philip Sherwood	Oct. 20, 1862	do. do.	166 63	
16	do.	James Russell	Oct 16, 1862	do. do.	8 50	
18	do.	Charles Reeder	Nov. 20, 1862	do. do.	578 86	
21	do.	John Welch	Oct. 6, 1862	do. do.	137 49	
Aug. 30	do.	Barrows & Hanson	Nov. 21, 1862	do. do.	13 00	
						2,406 81
Sept. 10	Steamer Mary Washington	Charles Reeder	Not paid	D. H. Rucker, Col. and Qm	233 16	
19	do.	J. Morris & Co	Sept. 19, 1862	do. do.	288 29	
						521 45
May 29	Steamer Metamora	Thomas H. Hooper	Aug. 26, 1862	John Tucker, Asst. Sec'y of War	32 35	
30	do.	Birch & Co	Nov. 4, 1862	do. do.	351 90	
31	do.	John Welch	Sept. 9, 1862	do. do.	281 82	

	31	do.	Charles Reeder	July 8, 1862	do.	do.	1,148 04	
Aug.	27	do.	John T. Fardy & Brother	Aug. 27, 1862	do.	do.	2,623 41	
								4,447 52
July	2	Steamer Nantasket	H. Thomas & Co	Nov. 12, 1862	do	do.		2,127 61
May	26	Steamer Nelly Baker	do	do	C. W. Thomas, Capt. and A. Qm		1,608 96	
	29	do.	Charles Reeder	July 8, 1862	do	do.	409 20	
Nov.	8	do.	J. Morris & Co	Jan. 8, 1863	do	do.	27 00	
	11	do.	Charles Reeder	Jan. 28, 1863	do	do.	192 67	
	11	do	H. Thomas & Co	Not paid	do	do.	25 46	
Dec.	26	do.	John Welch	do	do	do.	4 50	
	26	do.	do	Feb. 3, 1863	do	do.	17 77	
								2,285 56
Mar.	29	Steamer New York	J. W. Muller, jr., & Co	May 7, 1862	G. Talmadge, Capt. and A. Qm		89 62	
	29	do.	Charles Reeder	Nov. 20, 1862	do	do.	68 99	
								158 61
Aug.	4	Steamer Octorora	H. Thomas & Co	Oct. 14, 1862	C. W. Thomas, Capt. and A. Qm		27 00	
	9	do.	Tregoe & Tall	Oct. 22, 1862	do	do.	200 05	
	15	do.	Richard Hutchins	Oct. 4, 1862	do	do.	95 06	
	18	do.	Phillip Sherwood	Oct. 28, 1862	do	do.	17 14	
								339 25
June	14	Steamer Pioneer	William M. Cubbin	Sept. 26, 1862	J. C. Slat, Capt. and A Qm		351 00	
	26	do.	Auld & Bowen	Jan. 15, 1863	do	do.	291 63	
	27	do.	J. S. Beecham & Brother	Jan. 9, 1863	do	do.	857 75	
	27	do.	Charles Reeder	Nov. 20, 1862	do	do.	551 79	
July	31	do.	C. T. Morris	Oct. 9, 1862	Hermon Biggs, Lieut. Col. and Qm		814 69	
	31	do.	William B. Peregoz	Sept. 23, 1862	do	do.	102 80	
	31	do.	Levi James	Sept. 20, 1862	do	do.	20 00	
Aug.	1	do.	J. J. Abrahams & Son	Oct. 29, 1862	do	do	1,696 04	
	1	do.	John H. Keener	Sept. 5, 1862	do	do.	174 48	
	1	do.	William M. Newton	Oct. 15, 1862	do	do	360 48	
	1	do.	Charles Reeder	Nov. 20, 1862	do	do.	296 22	
	1	do.	Henry Boss	Nov. 6, 1862	do	do.	45 85	
	1	do.	J. C. Wheeden & Son	Nov. 14, 1862	do	do.	938 32	
	1	do.	W. A. Vannostrau	Sept. 4, 1863	do	do.	173 07	
								6,674 12
Sept.	10	Steamer Planter	J. Morris & Co	Jan. 8, 1863	D. H. Rucker, Col. and Qm		69 15	
	12	do.	Charles Reeder	Not paid	do	do.	85 25	
Nov.	7	do.	do	do	do	do.	112 00	
Dec.	16	do.	do	do	do	do.	1,238 29	
								1,504 69
Oct.	9	Steamer Geo. Peabody	John Beck	Nov. 26, 1862	C. B. Ferguson, Capt and A. Qm		12 00	
	11	do.	John T. Fardy & Brother	Dec. 17, 1862	do	do.	836 31	
	22	do.	Joshua A. Young	Nov. 26, 1862	do	do.	486 92	
								1,335 23
Dec.	15	Steamer Putnam	C. T. Morris	Dec. 24, 1862	do	do.		99 45
June	24	Steamer Rockland	William A. Waddell	Dec. 9, 1862	R. Ingalls, Col. and Qm		3 25	
	28	do.	Henry Boss	Nov. 6, 1862	do	do.	66 47	
July	7	do.	Phillip Sherwood	Oct. 28, 1862	do	do.	53 32	
	7	do.	H. Thomas & Co	Oct. 14, 1862	do	do.	670 55	
	10	do.	John Welch	Oct. 6, 1862	do	do.	105 93	
	10	do.	William D. Harris	Oct. 15, 1862	do	do.	278 39	
	10	do.	Charles Reeder	Jan. 28, 1863	do	do.	148 71	
								1,396 62

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date of repairs.	Name of vessels.	By whom repaired.	Date of payment.	By whose order or request repaired.	Cost of repairs.	Total.
1862.						
Mar. 26	Steamer Rover	Charles Reeder	Not paid	R. Ingalls, Col. and Qm		$26 04
Nov. 5	Steamer Ranger	Tregoe & Tall	Jan. 9, 1863	C. W. Thomas, Col. and Qm	$298 90	
25	do.	Kelly, Hazen & Co	Dec. 23, 1862	do. do.	985 44	
25	do.	James & Co	Feb. 4, 1863	do. do.	51 00	
Dec. 17	do.	Kelly, Hazen & Co	Not paid	do. do.	1,822 75	
17	do.	William B. Harris	Feb. 4, 1863	do. do.	828 42	
19	do.	John Welch	Feb. 3, 1863	do. do.	630 85	
23	do.	Charles Reeder	Not paid	do. do	2,926 39	
						7,552 75
July 31	Steamer R. Morris	J. G. Loane	Jan. 13, 1863	do. do.	1,000 63	
31	do.	J. T. Fardy & Brother	Oct. 31, 1862	do. do.	2,129 86	
						3,130 49
Sept. 18	Steamer Staten Islander	H. Thomas & Co	Nov. 12, 1862	Hermon Biggs, Lieut. Col. and Qm.	8 4 40	
Oct. 3	do.	Henry Boss	Jan. 15, 1863	do.	119 51	
4	do.	Chas. T. Morris	Dec. 24, 1862	do.	147 13	
8	do.	Philip Sherwood	Jan. 8, 1863	do.	111 85	
11	do.	Chas. Reeder	Jan. 28, 1863	do	258 81	
13	do.	Geo. J. Loane	Dec. 24, 1862	do.	197 52	
						1,669 22
1861.						
Nov. 4	Steamer Star	John W. Laughton	Jan. 27, 1862	D. H. Rucker, Col. and Qm	59 05	
4	do.	Wm. H. Travers	Jan. 14, 1862	do.	140 00	
12	do.	Wm. Skinner & Sons	Dec. 11, 1861	do.	879 81	
22	do.	Chas. Reeder	Feb. 15, 1862	do.	329 20	
28	do.	John J. Harman	Jan. 27, 1862	do.	192 90	
Dec. 31	do.	John T. Fardy & Bro	April 11, 1862	do.	2,675 44	
31	do.	do.	April 7, 1862	do.	3,877 64	
1862.						
Jan. 9	do.	Samuel R. Waite	Feb. 18, 1862	do.	62	
11	do.	Poole & Hunt	April 14, 1862	do.	945 10	
23	do.	John T. Fardy & Bro	June 17, 1862	do.	688 03	
25	do.	Wm. H. Travers	April 2, 1862	do.	404 83	
27	do.	Poole & Hunt	April 14, 1862	do.	101 37	
Mar. 6	do.	J. K. Muller, jr., & Co	April 3, 1862	do.	591 38	
May 31	do.	A. C. Hall	Oct. 16, 1862	C. G. Sawtelle, Captain and A. Qm.	16 37	
Aug. 6	do.	Tregoe & Tall	Oct. 22, 1862	do	422 77	
15	do.	Poole & Hunt	Dec. 23, 1862	do.	2,817 76	
16	do.	J. T. Fardy & Bro	Oct. 31, 1862	do.	3,700 92	
Oct. 25	do.	Phillip Sherwood	Jan. 8, 1863	do.	10 66	
27	do.	H. Thomas & Co	Nov. 12, 1862	do.	71 40	
27	do.	Wm. H. Strand & Co	Dec. 18, 1862	do.	15 51	
28	do.	C. T. Morris	Dec. 24, 1862	do.	64 88	
						18,005 64
Sept. 30	Steamer T. F. Secor	Samuel E. Kirk	Jan. 9, 1863	C. B. Ferguson, Capt. and Qm.	21 97	
Oct. 1	do.	J. Morris & Co	Jan. 8, 1863	do.	299 52	

	4	do.	Chas. Reeder	Jan. 28, 1863	do.	196 64		
	4	do.	J. T. Fardy & Bro	Dec. 17, 1862	do.	757 16	1,277 59	
	9	Steamer Seth Low	H. Thomas & Co	Jan. 8, 1863	C. W. Thomas, Lieut. Col. and Qm	83 34		
	13	do.	John Wells & Sons	Dec. 17, 1862	C. W. Thomas, Capt. and Qm	143 46	226 80	
July	12	Steamer South America	Philip Sherwood	Oct. 28, 1862	do.	20 23		
	17	do.	Gibson & Bohannan	Jan. 15, 1863	do.	10 00		
	18	do.	Chas. T. Morris	Oct. 9, 1862	do.	65 40		
	18	do.	Chas. Reeder	Nov. 20, 1862	do.	437 14		
	19	do.	Thos. H. Hooper	Aug. 26, 1862	do.	524 07	1,056 84	
	8	Steamer Thomas Sparks	Mecaslin & Co	Not paid	do.	9 30		
May	3	do.	B. F. Bennett	Nov. 14, 1862	do.	38 50	47 80	
Sept.	1	Steamer Thomas Foulks	Milton Christopher	Oct. 4, 1862	Hermon Biggs, Lieut. Col. and Qu	73 93		
	12	do.	Kelly, Hazen & Co	Sept. 25, 1862	do.	155 23		
	15	do.	Chas. Reeder	Jan. 28, 1863	do.	373 79		
	19	do.	Wm. Mills	Oct. 8, 1862	do.	70 51	673 48	
April	5	Steamer Thomas Jefferson	J. N. Muller, jr., & Co	July 19, 1862	G. Talmadge, A. Qm	453 50		
	7	do.	J. T. Fardy & Bro	June 17, 1862	do.	1,098 64		
May	30	do.	Benjamin F. Bennett	Nov. 14, 1862	do.	58 00		
July	18	do.	J. T. Fardy & Bro	July 18, 1862	C. W. Thomas, Capt. and A. Qm	152 47		
	18	do.	Birch & Co	Nov. 4, 1862	do.	85 47		
Oct.	6	do.	J. T. Fardy & Bro	Jan. 22, 1863	do.	699 99	2,548 07	
Dec.	6	Steamer Tom Morgan	Birch & Co	Feb. 5, 1863	C. W. Thomas, Lieut. Col. and Qm		176 92	
	30	Steamer Union	Geo. J. Loane	Jan. 29, 1863	General Fisher	942 42		
	30	do.	Wilbourne, Adams & Magee	Feb. 3, 1863	do.	262 00		
	31	do.	Birch & Co	Feb. 5, 1863	do.	1,594 05		
	31	do.	Kelly, Hazen & Co	Feb. 3, 1863	do.	3,150 53		
	31	do.	Samuel E. Kirk	Not paid	do.	175 44		
	31	do.	John Wells & Son	Not paid	do.	2,610 72	8,734 16	
May	26	Steamer Wilson Small	J. J. Abrahams	July 30, 1862	G. Talmadge, Capt. and A. Qm	583 09		
	26	do.	C. T. Morris	Aug. 21, 1862	do.	326 11		
Aug.	27	do.	J. S. Beecham & Co	Jan. 9, 1863	C. G. Sawtelle, Capt. and A. Qm	633 00	1,542 20	
April	9	Steamer Wm. Wheldon	Poole & Hunt	June 17, 1862	G. Talmadge, Capt. and A. Qm.	1,259 79		
	2	do.	J. N. Muller, jr., & Co	May 7, 1862	do. do.	272 47	1,532 26	
March	31	Steam-tug America	J. J. Abrahams	July 30, 1862	do. do.		924 56	
Sept.	22	Steam-tug J. M. Lewis	Charles Reeder	Jan. 28, 1863	C. G. Sawtelle, Lieut. Col. and Qm	105 02		
	22	do.	Charles T. Morris	Dec. 21, 1862	do. do.	277 10		
	20	do.	J. T. Fardy & Brother	Oct. 31, 1862	do. do.	854 04	1,236 16	
Aug.	23	Steam-tug Lioness	D. L. McCahan & Co.	Nov. 3, 1862	Edwin Ludlow, Capt. and A. Qm	31 51		
	24	do.	Phillip Sherwood	Oct. 28, 1862	do. do.	91 00		
	25	do.	John Welch	Oct. 6, 1862	do. do.	169 42		
	26	do.	Tregoe & Tall	Oct. 22, 1862	do. do.	61 62		
	27	do.	Samuel E. Kirk	Oct. 21, 1862	do. do.	34 19		
	27	do.	William D. Harris	Oct. 29, 1862	do. do.	279 55		

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date of repairs.	Name of vessels.	By whom repaired.	Date of payment.	By whose order or request repaired.	Cost of repairs.	Total.
1862.						
Aug. 27	Steam-tug Lioness	H. Thomas & Co	Oct. 14, 1862	Edwin Ludlow, Capt. and A. Qm.	$337 83	$1,005 12
June 25	Steam-tug Major Brewerton	Hazzard & Smith	Sept. 2, 1862	do do	32 18	
28	do	J. T. Fardy & Brother	Sept. 26, 1862	do do	39 94	
Sept. 28	do	Birch & Co	Nov. 4, 1862	do do	35 65	107 77
June 28	Steam-tug Tempest	Phillip Sherwood	Jan. 8, 1863	D. H. Rucker, Col. and Qm	20 51	
May 8	do	Samuel E. Kirk	Oct. 21, 1862	do do	18 89	
8	do	John Welch	Oct. 6, 1862	do do	87 85	
9	do	H. Thomas & Co	Oct. 14, 1862	do do	291 42	
10	do	Birch & Co	Nov. 4, 1862	do do	68 31	416 98
Aug. 16	Bark Voltigeur	Levi James	Oct. 4, 1862	J. C. Slat, Capt. and A. Qm	31 80	
15	do	William H. Stran & Co	Jan. 15, 1863	do do	52 75	
18	do	Henry Boss	Nov. 6, 1862	do do	1,106 23	
26	do	Callamore & Austin	Oct. 9, 1862	do do	311 29	
26	do	John Welch	Oct. 6, 1862	do do	200 56	
28	do	William B. Peregoz	Sept. 23, 1862	do do	44 45	
28	do	Thos. Booz & Bro	Sept. 24, 1862	do do	1,485 60	
29	do	J. H. Keener	Sept. 5, 1862	do do	129 25	
29	do	Peter Walther	Sept. 23, 1862	do do	5 00	
29	do	J. C Wheeden & Sons	Nov. 14, 1862	do do	747 96	
30	do	Holden & Whittemore	Oct. 7, 1862	do do	848 50	
30	do	C. T. Morris	Oct. 9, 1862	do do	583 44	
Sept. 1	do	John Diamond	Nov. 8, 1862	do do	4 80	5,552 63
Nov. 14	Brig L. D. Hart	H. Thomas & Co	Jan. 8, 1862	C. B. Furguson, Capt. and A. Qm.	118 34	
14	do	Philip Sherwood	do	do	3 53	121 87
1861.						
Sept. 29	Brig Hope	J. T. Fardy & Bro	April 7, 1862	do do		21 00
1862.						
May 3	Brig Aladdin	A. C. Hall	Oct. 16, 1862	do do		8 75
Mar. 27	Schooner D. M. French	J. J. Abrahams	July 30, 1862	do do		122 99
Nov. 11	Schooner H. D. Hart	Barrows & Hanson	Dec. 22, 1862	do do		13 00
Oct. 29	Schooner Isle of Pines	Kelley, Hazen & Co	Dec. 23, 1862	do do	111 97	
29	do	Wm. Mills	Not paid	do do	30 35	142 32
Sept. 25	Schooner Julia Franklin	Barrows & Hanson	Nov. 21, 1862	do do	20 50	
26	do	J. C. Wheden & Son	Nov. 14, 1862	do do	20 17	
26	do	Wm. D. Harris	Dec. 24, 1862	do do	31 54	
26	do	J. J. Abrahams & Son	Oct. 29, 1862	do do	523 49	
28	do	Wm. B. Freeman	Dec. 9, 1862	do do	21 95	617 65
Oct. 2	Schooner J. A. Stevens	Kelly, Hazen & Co	Dec. 10, 1862	do do		210 49

Sept.	22	Schooner J. M. Lewis	John Welch	Nov. 28, 1862	do do		209 17
Aug.	27	Schooner Lucy Church	Auld & Bowen	Oct. 21, 1862	do do	41 64	
Sept.	1	do	Kelly, Hazen & Co.	Sept. 25, 1862	do do	242 57	
							284 21
May	24	Schooner Golden Rule	J. T. Fardy & Bro	Sept. 26, 1862	C. W. Thomas, Capt. and A. Qm.		156 67
Mar.	22	Schooner Herschel	A. C. Hall	June 30, 1862	do do		122 50
Sept.	13	Schooner Providence	Philip Sherwood	Jan. 8, 1863	C. B. Furguson, Capt. and A. Qm.	7 87	
	16	do	Barrows & Hanson	Nov. 21, 1862	do do	7 50	
	17	do	Wm. D. Harris	Dec. 24, 1862	do do	22 29	
	17	do	H. Thomas & Co	Jan. 8, 1863	do do	239 29	
							276 95
Oct.	7	Schooner Samuel Eddy	do	do	C. W. Thomas, Capt. and A. Qm.	447 27	
	10	do	Philip Sherwood	do	do do	52 87	
	14	do	Barrows & Hanson	Nov. 21, 1862	do do	26 78	
	7	do	Wm. D. Harris	Dec. 24, 1862	do do	55 13	
							582 05
April	11	Schooner Wm. H. Dennis	J. J. Abrahams	July 30, 1862	G. Talmadge, Capt. and A. Qm.		631 02
Sept.	21	Schooner T. C. Worrell	Wm. Mills	Not paid	C. B. Furguson, Capt. and A. Qm.	7 68	
	22	do	J. W. Lawton	do	do do	2 42	
	22	do	Geo. J. Loane	Jan. 29, 1863	do do	61 15	
							71 25
April	15	Schooner Governor Burton	A. C. Hall	Oct. 16, 1862	G. Talmadge, Capt. and A. Qm.		7 87
May	2	Schooner D. C. Foster	do	do	do do		9 62
	8	Schooner Mountain Eagle	do	do	do do		8 75
	9	Schooner M. A. Magee	do	do	do do		9 62
	13	Schooner Emma Furbush	do	do	do do		7 87
	16	Schooner Wm. Phillips	do	do	do do		7 87
	17	Schooner Ocean Ranger	do	do	do do		6 12
Oct.	29	Barge Andrew Buckley	Philip Sherwood	Jan. 8, 1863	C. B. Furguson, Capt. and A. Qm	8 00	
	20	do	H. Thomas & Co	Jan. 9, 1863	do do	332 70	
							340 70
Nov.	10	Barge California	do	Jan. 8, 1863	do do	199 82	
	19	do	Philip Sherwood	do	do do	4 29	
							204 11
July	28	Barge Delaware	Jas. Russell	Oct. 16, 1862	C. W. Thomas, Capt. and A. Qm.	3 50	
	29	do	J. W. Loane	Oct. 20, 1862	do do	270 00	
	31	do	Chas. T. Morris	Oct. 9, 1862	do do	723 18	
Aug.	6	do	Philip Sherwood	Oct. 28, 1862	do do	88 00	
	7	do	Wm. A. Waddell	Dec. 9, 1862	do do	28 31	
	7	do	H. Thomas & Co	Oct. 14, 1862	do do	633 55	
	12	do	Geo. H. Wingate	Sept. 20, 1862	do do	86 89	
							1,833 43
Oct.	14	Barge Friendship	R. W. McClellan	Oct. 16, 1862	do do		150 00
	6	Barge John Pickup	J. J. Abraham & Sons	Not paid	do do		322 04
	25	Barge M. Duffy	Wm. D. Harris	Dec. 24, 1862	C. B. Furguson, Capt. and A. Qm.	60 74	
	31	do	H. Thomas & Co	Jan. 8, 1863	do do	684 72	
							745 46
							176,768 97

JAS. BELGER, *Colonel and Quartermaster.*

CHIEF QUARTERMASTER'S OFFICE, *Baltimore, Md., February* 7, 1863.

Report of vessels repaired at Baltimore, Maryland, under the direction of Colonel James Belger, &c.—Continued.

Date of repairs.	Name of vessels.	By whom repaired.	Date of payment.	By whose order or request repaired.	Cost of repairs.	Total.
1862.						
Aug. 27	Steam-tug Lioness	H. Thomas & Co	Oct. 14, 1862	Edwin Ludlow, Capt. and A. Qm.	$337 83	$1,005 12
June 25	Steam-tug Major Brewerton	Hazzard & Smith	Sept. 2, 1862	do do	32 18	
28	do	J. T. Fardy & Brother	Sept. 26, 1862	do do	39 94	
Sept. 28	do	Birch & Co	Nov. 4, 1862	do do	35 65	107 77
June 28	Steam-tug Tempest	Phillip Sherwood	Jan. 8, 1863	D. H. Rucker, Col. and Qm	20 51	
May 8	do	Samuel E. Kirk	Oct. 21, 1862	do do	18 89	
8	do	John Welch	Oct. 6, 1862	do do	87 85	
9	do	H. Thomas & Co	Oct. 14, 1862	do do	221 42	
10	do	Birch & Co	Nov. 4, 1862	do do	68 31	416 98
Aug. 16	Bark Voltigeur	Levi James	Oct. 4, 1862	J. C. Slat, Capt. and A. Qm	31 80	
15	do	William H. Stran & Co	Jan. 15, 1863	do do	52 75	
18	do	Henry Boss	Nov. 6, 1862	do do	1,106 33	
26	do	Callamore & Austin	Oct. 9, 1862	do do	311 29	
26	do	John Welch	Oct. 6, 1862	do do	200 56	
28	do	William B. Peregoz	Sept. 23, 1862	do do	44 45	
28	do	Thos. Booz & Bro	Sept. 24, 1862	do do	1,485 60	
29	do	J. H. Keener	Sept. 5, 1862	do do	129 25	
29	do	Peter Walther	Sept. 23, 1862	do do	5 00	
29	do	J. C Wheeden & Sons	Nov. 14, 1862	do do	747 96	
30	do	Holden & Whittemore	Oct. 7, 1862	do do	848 50	
30	do	C. T. Morris	Oct. 9, 1862	do do	583 44	
Sept. 1	do	John Diamond	Nov. 8, 1862	do do	4 80	5,552 63
Nov. 14	Brig L. D. Hart	H. Thomas & Co	Jan. 8, 1862	C. B. Furguson, Capt. and A. Qm.	118 34	
14	do	Philip Sherwood	do	do	3 53	121 87
1861.						
Sept. 29	Brig Hope	J. T. Fardy & Bro	April 7, 1862	do do		21 00
1862.						
May 3	Brig Aladdin	A. C. Hall	Oct. 16, 1862	do do		8 75
Mar. 27	Schooner D. M. French	J. J. Abrahams	July 30, 1862	do do		122 99
Nov. 11	Schooner H. D. Hart	Barrows & Hanson	Dec. 22, 1862	do do		13 00
Oct. 29	Schooner Isle of Pines	Kelley, Hazen & Co	Dec. 23, 1862	do do	111 97	
29	do	Wm. Mills	Not paid	do do	30 35	142 32
Sept. 25	Schooner Julia Franklin	Barrows & Hanson	Nov. 21, 1862	do do	20 50	
26	do	J. C. Wheden & Son	Nov. 14, 1862	do do	20 17	
26	do	Wm. D. Harris	Dec. 24, 1862	do do	31 54	
26	do	J. J. Abrahams & Son	Oct. 29, 1862	do do	523 49	
28	do	Wm. B. Freeman	Dec. 9, 1862	do do	21 95	617 65
Oct. 2	Schooner J. A. Stevens	Kelly, Hazen & Co	Dec. 10, 1862	do do		210 49

Sept.	22	Schooner J. M. Lewis	John Welch	Nov. 28, 1862	do do		209 17
Aug.	27	Schooner Lucy Church	Auld & Bowen	Oct. 21, 1862	do do	41 64	
Sept.	1	do	Kelly, Hazen & Co	Sept. 25, 1862	do do	242 57	
							284 21
May	24	Schooner Golden Rule	J. T. Fardy & Bro	Sept. 26, 1862	C. W. Thomas, Capt. and A. Qm		156 67
Mar.	22	Schooner Herschel	A. C. Hall	June 30, 1862	do do		122 50
Sept.	13	Schooner Providence	Philip Sherwood	Jan. 8, 1863	C. B. Furguson, Capt. and A. Qm	7 87	
	16	do	Barrows & Hanson	Nov. 21, 1862	do do	7 50	
	17	do	Wm. D. Harris	Dec. 24, 1862	do do	22 29	
	17	do	H. Thomas & Co	Jan. 8, 1863	do do	239 29	
							276 95
Oct.	7	Schooner Samuel Eddy	do	do	C. W. Thomas, Capt. and A. Qm	447 27	
	10	do	Philip Sherwood	do	do do	52 87	
	14	do	Barrows & Hanson	Nov. 21, 1862	do do	26 78	
	7	do	Wm. D. Harris	Dec. 24, 1862	do do	55 13	
							582 05
April	11	Schooner Wm. H. Dennis	J. J. Abrahams	July 30, 1862	G. Talmadge, Capt. and A. Qm		631 02
Sept.	21	Schooner T. C. Worrell	Wm. Mills	Not paid	C. B. Furguson, Capt. and A. Qm	7 68	
	22	do	J. W. Lawton	do	do do	2 42	
	22	do	Geo. J. Loane	Jan. 29, 1863	do do	61 15	
							71 25
April	15	Schooner Governor Burton	A. C. Hall	Oct. 16, 1862	G. Talmadge, Capt. and A. Qm		7 87
May	2	Schooner D. C. Foster	do	do	do do		9 62
	8	Schooner Mountain Eagle	do	do	do do		8 75
	9	Schooner M. A. Magee	do	do	do do		9 62
	13	Schooner Emma Furbush	do	do	do do		7 87
	16	Schooner Wm. Phillips	do	do	do do		7 87
	17	Schooner Ocean Ranger	do	do	do do		6 12
Oct.	29	Barge Andrew Buckley	Philip Sherwood	Jan. 8, 1863	C. B. Furguson, Capt. and A. Qm	8 00	
	20	do	H. Thomas & Co	Jan. 9, 1863	do do	332 70	
							340 70
Nov.	10	Barge California	do	Jan. 8, 1863	do do	199 82	
	19	do	Philip Sherwood	do	do do	4 29	
							204 11
July	28	Barge Delaware	Jas. Russell	Oct. 16, 1862	C. W. Thomas, Capt. and A. Qm	3 50	
	29	do	J. W. Loane	Oct. 20, 1862	do do	270 00	
	31	do	Chas. T. Morris	Oct. 9, 1862	do do	723 18	
Aug.	6	do	Philip Sherwood	Oct. 28, 1862	do do	88 00	
	7	do	Wm. A. Waddell	Dec. 9, 1862	do do	28 31	
	7	do	H. Thomas & Co	Oct. 14, 1862	do do	633 55	
	12	do	Geo. H. Wingate	Sept. 20, 1862	do do	86 89	
							1,833 43
Oct.	14	Barge Friendship	R. W. McClellan	Oct. 16, 1862	do do		150 00
	6	Barge John Pickup	J. J. Abraham & Sons	Not paid	do do		322 04
	25	Barge M. Duffy	Wm. D. Harris	Dec. 24, 1862	C. B. Furguson, Capt. and A. Qm	60 74	
	31	do	H. Thomas & Co	Jan. 8, 1863	do do	684 72	
							745 46
							176,768 97

JAS. BELGER, *Colonel and Quartermaster.*

CHIEF QUARTERMASTER'S OFFICE, *Baltimore, Md., February* 7, 1863.

WASHINGTON, *Saturday, January* 24, 1863.

JOHN TUCKER, being duly sworn, testified as follows:

Examined by the chairman.

Question. State, if you please, when you began to act as the agent of the government in procuring transport ships; in what capacity you have acted; by what authority; where you have chartered; of whom you have chartered; for what time; on what terms; through what agents you have acted; the names of the vessels chartered, and the date at which they were discharged, as far as you can.

TUESDAY, *January* 27, 1863.

JOHN TUCKER reappeared and testified as follows, in answer to the interrogatory above, and further interrogatories propounded by the chairman:

Answer. Immediately after the riots in Baltimore in April, 1861, the Secretary of War sent three urgent notes to me asking me to proceed forthwith to Washington. I arrived on Friday of the following week, when he stated he wished to avail of my experience to aid the government in the transportation of troops and stores to Washington. He gave me written authority (a copy of which is on file in the quartermaster general's department) to charter transports and to arrange transportation by land. I entered immediately on the duty, and soon found that while communication between Washington and the north had been interrupted, many patriotic bodies had despatched large numbers of transports from various places laden with stores, &c. Many of these were soon after discharged through my recommendation, while others (after consultation with various quartermasters) were retained in service at reduced rates.

After this my duties were light until I was asked to aid General Burnside in obtaining transports and expediting their departure, but not until he had devoted many weeks to it, and, of course, I acted under his directions.

When a change was made in the head of the War Department, about one year ago, the present Secretary of War asked me to act as assistant, to which I reluctantly assented, and have so continued to act until the 21st instant, when the office terminated.

Shortly after I was installed in this office I was directed to aid the quartermaster's department in procuring the transports for General McClellan's expedition. I hold in my hand a copy of the report I made on the 5th April, 1862, which gives full accounts of that expedition. This is the only regular written report I had occasion to make.

When the vessels were chartered the proper number of copies of the charter-parties were immediately sent to the quartermaster general, and his office became the place of record. As the transports were to be discharged by the quartermaster's department, as soon as the services required had been rendered, and as they were to be paid by the

same department, I had no occasion for a record and kept none. All such information can be furnished by that department. It is impossible for me, without reference to the records of that department, to state from memory, which would be very imperfect, of whom the vessels were chartered, for what time, on what terms, the names of the vessels, or when they were discharged. Vessels were chartered from owners in all the principal cities from Portland to Baltimore. I hand herewith a report of the quartermaster general, dated March 24, 1862, which shows the vessels chartered for that department from April 1, 1861, to that date, which, I presume, includes all the transports chartered by me while acting as transportation agent, as it includes a period beginning some time before I commenced acting in that capacity and for two months after I had ceased to be such agent. Since March, 1862, I have not signed any charter-parties, and it would be difficult to distinguish those which were made with my knowledge from others.

I availed of the assistance of Mr. M. J. Buckley, the shipping superintendent of the Philadelphia and Reading Railroad Company, at Port Richmond, near Philadelphia, to procure canal boats and schooners at fixed prices and with the approval of the quartermaster at Perryville. Mr. S. S. Bishop, a gentleman of large experience in the shipping business, aided in fitting the transports and embarking the horses and wagons at Perryville. I also availed of the practical knowledge and enlarged experience of Captain R. F. Loper, of Philadelphia, particularly for the examination of steamers for General McClellan's expedition. He, I am informed, has built more steamers than any man in this country, and from his early youth has given his attention almost exclusively to transportation by water. I believe no steamer which he examined has been lost or met with any serious accident while in the service for which she was chartered. These are all the agencies, if these can be termed such, which occur to me.

In the capacity of transportation agent, or as assistant Secretary of War, it has not been expected of me to attend to the ordinary details of the quartermaster's department of transportation. My chief duties, in this connexion, although always ready to attend to any other service required, were: 1st, immediately after the riots in Baltimore; 2d, to assist General Burnside's expedition to North Carolina, but not until he had devoted many weeks to it; 3d, to aid in chartering transports for General McClellan's expedition to Fort Monroe, in March, 1862; 4th, to expedite the embarcation and return of General McClellan's army in August, 1862, with the least possible delay, when again many transports were chartered; 5th, to promote the speedy departure of General Bank's recent expedition to New Orleans, in which I was not engaged till about ten days before he left, and none of the transports were chartered by me.

Report of Mr. Tucker, Assistant Secretary of War, to Mr. Stanton, Secretary of War, relative to the McClellan expedition,

WAR DEPARTMENT,
Washington City, D. C., April 5, 1862.

SIR: I beg permission to make the following report relative to the transportation of troops, horses, wagons, batteries, and usual equipments, recently shipped at this city, Alexandria and Perryville.

I was called to Washington by telegraph on the 17th January last by Assistant Secretary of War Thomas A. Scott. I was informed that Major General McClellan wished to see me. From him I learned that he desired to know if transportation in smooth water could be obtained to move at one time, for a short distance, (from Annapolis to the mouth of the Rappahannock river,) about 50,000 troops, 10,000 horses, 1,000 wagons, 13 batteries and the usual equipment of such an army. He frankly stated to me that he had always supposed such a movement entirely feasible until two experienced quartermasters had recently reported it impracticable in their judgment. A few days afterwards I reported to General McClellan that I was entirely confident the transports could be commanded, and stated the mode by which his object could be accomplished. A week or more afterwards I had the honor of an interview with the President and General McClellan, when the subject was further discussed, and especially as to the time required. I expressed the opinion that as the movement of the horses and wagons would have to be made chiefly by schooners and barges; that as each schooner would have to be properly fitted for the protection of the horses, furnished with a supply of water and forage, and also each transport for the troops provided with water, I did not deem it prudent to assume that such an expedition could start within thirty days from the time the order was given. The President and General McClellan both urgently stated the vast importance of an earlier movement. I replied that if favorable winds prevailed, and there was great despatch in loading, the time might be materially diminished.

On the 14th February you advertised for transports of various descriptions, inviting bids. On the 27th February I was informed that the proposed movement by water was decided upon. That evening the quartermaster general was informed of the decision. Directions were given to secure the transportation, and my assistance was tendered. He promptly detailed to this duty two most efficient assistants in his department. Colonel Rufus Ingalls was stationed at Annapolis, where it was then proposed to embark the troops, and Captain Henry C. Hodges was directed to meet me in Philadelphia, to attend to chartering the vessels. With these arrangements I left Washington on the 28th February. Aware that the movement of horses and wagons would be the chief cause of delay, I had previously corresponded with Mr. M. S. Buckley, superintendent of the Philadelphia and Reading Railroad Company, at Port Richmond, with whom I had been officially connected for twelve years, to ascertain how many schooners and barges could be at once commanded. I telegraphed him to meet me on my arrival. I knew that I could rely on his good judgment, energy, and strict integrity to serve the government and myself without compensation or profit, direct or indirect. He, under me, had been daily familiar with a business requiring transportation by water, which for many years had exceeded the entire foreign tonnage of the port of New York. I requested Mr. Buckley not only to give full notice to all vessels at his depot that the government required such transports, but to oblige me personally by visiting the wharves in Philadelphia generally, and especially those of the Schuylkill Navigation Company, to inform the owners and captains of schooners and barges that the government desired to charter them. After remaining two days in Philadelphia, with much satisfaction in our progress, Captain Hodges and myself went to New York. *All* parties who offered suitable transports in reply to your advertisement had

been requested to meet me. With few exceptions, such vessels were taken, and generally at a reduction from the bids. These, however, were by no means sufficient. As much publicity as possible was given, without further resort to the newspapers, that the government was in the market to charter vessels. In fact, with your advertisement and our action, it was notorious. Every owner of a vessel had the opportunity to deal directly with the representatives of the department. It was publicly avowed that the government preferred this course. When, however, a transport was offered, I did not stop to ask the party whether he was the sole owner, part owner, or merely represented the owners. Time being such an important element, it was enough for me to know (or I thought it was) that the party had proper authority to charter, that the vessel was suitable, and offered at the fair current price. To have refused suitable vessels till I could have ascertained who were the owners, or because they preferred to send an agent or even pay a ship-broker, might have taken weeks, instead of days, to have secured the required tonnage, and also greatly increased the cost, by having a part of the fleet under charter waiting for the balance. I am induced to make these remarks in consequence of the objections which I have recently heard urged against the interference of agents or ship-brokers. It may not be fully understood that in all great maritime cities negotiations for the sale, charter, and freighting of vessels are carried on, to a considerable extent at least, through ship-brokers—a business class as firmly established as stock, land, money, or merchandise-brokers. In New York they are well known as a class comprising many men of integrity and intelligence, whose services are not ignored by ship-owners. In France, Belgium, Prussia, and many other places, the charges for their services are regulated by a legalized tariff, from which the broker is not allowed to deviate. In Great Britain and the United States he is paid a commission, which, in the absence of a special agreement with the owner for whom he is acting, is regulated by custom and sanction of local chambers of commerce, boards of trade, &c.

In the case under consideration, however, no application was made to ship-brokers, no commission tendered or asked, and no preferences shown. The wants of the government were made public. Every party interested had the opportunity of direct negotiation. The business was conducted with entire fairness to the owners of vessels, and with fidelity to the government. I beg to hand herewith a statement, prepared by Captain Hodges, of the vessels chartered, which exhibits the prices paid and the parties with whom the contracts were made. From this it is shown there were engaged:

113 steamers, at an average price per day of	$218 10
188 schooners, at an average price per day of	24 45
88 barges, at an average price per day of	14 27

In thirty-seven days from the time I received the order in Washington (and most of it was accomplished within thirty days) these vessels were laden at Perryville, Alexandria, and Washington, (the place of embarking the troops having been changed after all the transports had sailed, which caused confusion and delay,) with 121,500 men, 14,592 animals, 1,150 wagons, 44 batteries, besides pontoon bridges, ambulances, telegraph materials, and the immense quantity of equipage, &c., required for an army of such magnitude. The only loss of which I have heard (and I am confident there is no other) is eight mules and nine barges, which latter went ashore in a gale within a few miles of Fort Monroe, the cargoes being saved. With this trifling exception, not the slightest accident has occurred, to my knowledge.

I respectfully but confidently submit that, for economy and celerity of movement, this expedition is without parallel.

I remain, sir, very respectfully, your most obedient servant,

JOHN TUCKER, *Assistant Secretary of War.*

Hon. EDWIN M. STANTON, *Secretary of War.*

[Lists furnished by Mr. John Tucker.]

A.

STEAMERS, SIDE-WHEEL.

No.	Name.	Date.	Who signed charter.	Rate per diem.
		1862.		
1	Cecil	Feb 22	N. T. Rice	$[illegible]
2	Columbia	Feb. 25	A. C. Hall	350
3	Kent	Feb. 26	Samuel S. Pentz	100
4	Pioneer	do	do	100
5	Lioness, (with barge)	do	W. H. Bolton	45
6	Portsmouth	do	J. Tome, president	220
7	Pacific, (tug)	do	do	60
8	Georgia	do	M. N. Falls, president	350
9	W. Small	do	M. C. Smith	250
10	Juniata	do	J. Tome, president	230
11	Atlantic (tug)	Feb. 27	J. M. Flannagan, president	200
12	Pendulum, (tug)	do	do do	200
13	Ariel	March 1	G H Huddell	240
14	J. A. Warner	do	J P. Wetherill	300
15	Willie Baker	do	Chas. Spear, agent	350
16	Emperor	do	E A. Souder & Co.	500
17	Argo	do	McKay & Alders	150
18	Kennebec	March 3	Jas. T Sanford	450
19	Massachusetts	do	A. J. Richardson	200
20	May Queen	do	Jo. T. Marten	100
21	West End, (S. W.)	do	Henry A. Sayre	100
22	J W. Lewis	do	W. Goodrich	110
23	Nantucket	March 4	Davis Chapin, agent	350
24	Commodore Vanderbilt	do	D. Drew, president	800
25	Commodore	do	do	800
26	Achilles, (tug)	do	Russel Sturges	200
27	T B Arrowsmith	do	S Taber, president	500
28	State of Maine	do	Wm. Berden, agent B.S.S B. Co.	600
29	Cannonicus	do	do do	375
30	Saturn	do	P Hammond & Co.	100
31	Nashoa	March 5	C. T. Taylor & Geo. W. Wilber	160
32	Mystic	do	Gorham T. Low, agent	160
33	North America	do	J. W. Hancox	375
34	Catskill	do	Isaac Pruyn, secretary	400
35	Hero	do	J. W. Hancox	325
36	Champion, or Edward Lewis	do	L. Roret Hancox	210
37	Flushing	do	Fr. Konig, treasurer	350
38	Herald, (tug)	do	Thom. Connell	200
39	Jno. Farrar	do	Daniel D. Leary	400
40	Bushwick	do	Jas. Wilson	125
41	Jenny Lind	do	R. A. Morgan	150
42	Knickerbocker	March 6	D. Drew, president	700
43	Jno. Brooks	do	Fitch Smith, president	800
44	Elm ' ity, (one charter-party)	do	Richard Peck, agent	700
45	South America, (one charter-party)	do	do	700
46	Donelson	do	A B. Hendricks	250
47	Daniel Webster	do	John T. Wright	600
48	T F. Secor	do	S. Sturtevant	200
48½	Wash. Hunt	do	Q M. Thorne	60
49	W. W. Frazer	March 7	E. A. Souder & Co., agents	150
50	Rockland	do	C. Spear, agent	200

A.—STEAMERS, SIDE-WHEEL—Continued.

No.	Name.	Date.	Who signed charter.	Rate per diem.
		1862.		
51	Illinois, (tug)	March 7	Jas. J. Swaine	$200
52	Agnes	....do....	Jos Grinnell, agent	175
53	Daniel Webster	March 8	Albert Wood	600
54	Tamirand	....do....	S. W. & W. A. Toney	--------
55	Maryland	....do....	Stephens, Condit & Co.	200
56	Croton	....do....	Jas A. Dumont	215
57	Long Branch	....do....	Geo H. Pierre	325
58	———, or W. Kent	....do....	Waller, Bredt & Co.	700
59	Young America, (tug)	March 10	W. Ward, attorney	60
60	Golden Gate	March 11	S C. Osgood, agent	150
61	Patapsco, (tug)	March 14	A. C. Hall	85
62			Total	18,700

STEAMERS, PROPELLER AND STERN-WHEEL.

		1862.		
1	Salvor	Feb. 25	Thos. Clyde	$350
2	Jos. S. Green	Feb. 26	....do	200
3	Clyde, (steam-tug)	....do....	....do	75
4	Philadelphia, (freight boat)	....do....	....do	125
5	Alida (freight boat)	....do....	....do	110
6	F. Garner, (freight boat)	....do....	....do	110
7	Concord, (freight boat)	....do....	W. M. Baird, jr.	125
8	Novelty, (freight boat)	....do....	....do	120
9	Sarah, (freight boat)	....do....	....do	120
10	Tacony, (freight boat)	....do....	....do	125
11	Baltimore	....do....	Friend, Ricketts & Co	250
12	Edwin Forrest, (tug)	....do....	A. C. Hall	40
13	Fairy Queen, (tug)	....do....	....do	40
14	Haswell	....do....	....do	40
15	Reindeer, (stern-wheel)	Feb 27	Caleb S. Wright	60
16	Volunteer	....do....	....do	60
17	Delaware, (freight boat)	....do....	J. M. Flannagan	115
18	Trenton, (freight boat)	....do....	....do	115
19	D. S. Stetson, (tug)	Feb. 28	John Russell	45
20	America, (tug)	March 1	John R. Penrose, agent	225
21	Diamond State	....do....	Anthony Reybold	125
22	J. F. Star, (tug)	March 3	Jacob Miller	65
23	Shetucket, (one charter-party)	....do....	Horace Whittaker	150
24	Decatur, (one charter-party)	....do....	....do	150
25	Chas. Osgood, (one charter-party)	....do....	....do	150
26	Touley	....do....	John B. Wood	75
27	Wissahickon	March 4	Caleb S. Wright	60
28	Parthenia	....do....	Evelyn White	130
29	Curlew	....do....	J. & H. Smith & Co.	250
30	Rotary	....do....	Barstow & Pope	85
31	Rover, (tug)	....do....	E. A. Souder & Co., agents	50
32	H. J. Binney, (tug)	March 5	J. M. Flannagan	120
33	Thames	....do....	M. M. Comstock	300
34	A. H. Bowman	....do....	A. M. Clark	175
35	J.R.Thompson, (freight boat)	March 6	A. Groves, agent	100
36	Farmer, (freight boat)	....do....	....do	100
37	Elizabeth, (freight boat)	....do....	....do	140

A.—STEAMERS, PROPELLER AND STERN-WHEEL—Continued.

No.	Name.	Date.	Who signed charter.	Rate per diem.
		1862.		
38	R. Willing, (freight boat)	March 6	A. Groves, agent	$140
39	Mat. White, (tug)	do	Michael Mody	50
40	Eureka, (freight boat)	do	J. M. Flannagan	115
41	Putnam, (freight boat)	do	do	150
42	Qunobog	do	Horace Whittaker	130
43	Franklin, (freight boat)	March 7	A. Groves, agent	100
44	Artisan, (freight boat)	do	do	100
45	Octorora	do	do	140
46	Rescue, (tug)	do	Q M. Thorne	50
47	J. M. Pusey, (tug)	do	R. A. Knight	50
48	Pilot, stearn, (tug)	do	A C. Hall	50
49	May Queen, (tug)	March 11	McKay & Alders	60
50	Ajax, (tug)	March 13	John Henderson, jr,	70
51	Brewerton	March 14	John Lee Chapman, *ex officio* mayor of Baltimore	65

BARGES.

		1862.		
1	Morris Dalton	Feb. 24	P. Bohanan	$10 00
2	Captain J. McKnight	do	Thomas his × mark. Cann	10 00
3	Huron	do	James M. his × mark. Michael	10 00
4	Pride of the West	do	P. Chreton	10 00
5	W. F. Moody	do	John Drew	10 00
6	B. D. Cullen	do	G. Snyder	10 00
7	Lindemgle	do	Jacob his × mark. Stewart	10 00
8	John Wumpenny	do	J. L. Lyle	10 00
9	Equal Rights	Feb. 25	L. Mozer	10 00
10	W. G. Hunt	Feb. 26	Thomas Clyde	31 00
11	Katie Sailor	do	A. C. Hall	10 00
12	Captain F. S. Boos	do	do	10 00
13	Olive Branch	do	do	10 00
14	F. Dutchman	do	do	10 00
15	Samuel Davis	do	do	10 00
16	Lady	do	do	10 00
17	N. Dahlman	do	do	10 00
18	William	do	do	10 00
19	Thomas Mallory	do	do	10 00
20	Henry Bartley	do	do	10 00
21	California	Feb. 27	S. Flannagen, agent	22 50
22	Taconey	do	do	22 50
23	Monterey	do	do	22 50
24	Palo Alto	do	do	22 50
25	San Gabriel	do	do	22 50
26	Buena Vista	do	do	22 50
27	Constitution	do	E. B. Ely	10 00
28	Ann Elizabeth	do	James Holliday	10 00
29	Jo Alexander	do	Ed. Ralston	10 00
30	S. F. Prince	do	Thomas Beatty	10 00
31	St. Nicholas	March 1	Silliman, Mathews & Co	50 00
32	L. P. Gardiner	do	do	40 00

A.—BARGES—Continued.

No.	Name.	Date.	Who signed charter.	Rate per diem.
		1862.		
33	Union	March 3	A. C. Hall	$10 00
34	S. Creig	do	do	10 00
35	Supply	do	do	10 00
36	M. Dufry	do	do	10 00
37	Western State	do	do	10 00
38	P. Clinton	do	do	10 00
39	B. Mountain	do	do	10 00
40	Four Brothers	do	W. Lockridge & Co	10 00
41	Flora Louisa	do	do	10 00
42	T. Lee	do	B. Erkest	10 00
43	J. R. Thomas	do	L. McDaniel	10 00
44	Commodore Stockton	March 5	G. A. Tinbill	10 00
45	Warrior	do	R. W. McClellan	10 00
46	Samuel Vaughan	do	do	10 00
47	Robert and Elizabeth	do	do	10 00
48	Superior	March 6	W. W. Kinney	40 00
49	Wall Kill	do	Johnston & Falls	40 00
50	John C. Davis	do	G. A Tinbill	10 00
51	James Deary	do	P. Helferty	10 00
52	John S. Richards	do	David Miller	10 00
53	Louisa Tucker	do	G. A. Tinbill	10 00
54	P. Halligan	do	do	10 00
55	Excel	do	R. T. Cahill	15 00
55½	Benjamin Franklin	do	D. McCarthey, agent	20 00
56	N. E. Edmonds	March 7	Silliman, Mathews & Co	50 00
57	Alleghany	do	Thomas Gorman	10 00
58	Anglica	do	Daniel Karcher	10 00
59	George McClannan	March 8	R. W. McClellan	10 00
60	United States	Feb. 24	James his × mark. Kinkead	10 00
61	John Bensman	do	John Boyle	10 00
62	Louis Royer	do	M. Ewing	10 00
63	D. F. Brown	do	M. Hope	10 00
64	H. A. Getz	Feb. 25	S. L. Lyle	10 00
65	Industry	do	W. Maffitt	10 00
66	Captain Crayton	Feb. 26	Thomas Morrow	10 00
67	Plough Boy	Feb. 28	Thomas Earman	10 00
68	Sarah Glovina	do	S. Munshover	10 00
69	Jane Preston	March 3	John Yeager	10 00
70	Yankee Doodle	do	W. Lockridge & Co	10 00
71	James Buchanan	do	Benjamin Eckert	10 00
72	M. L. Dawson	do	A. C. Hall	10 00
73	Charles Miller	do	do	10 00
74	Dr. Shannon	do	do	10 00
75	Owen Gorman	do	do	10 00
76	F. C. Zulick	do	do	10 00
77	Mary Ann	do	do	10 00
78	Pat. Naulty	do	do	10 00
79	Catharine Hayes	do	do	10 00
80	N. T. Anderson	do	do	10 00
81	D. Ralph, (steam)	March 4	Thomas P. Teft	45 00
82	Delaware	March 7	W. H. Bolton	70 00
83	Princetown	March 8	A. C. Hall	10 00
84	Metropolis	do	do	10 00
85	Lone Star	March 11	J. Edwards	10 00
86	Perseverance	do	D. R. Urner	10 00
87	Helen Brown	March 12	A. C. Hall	10 00
88			Total	1,256 00

A.—SCHOONERS.

No.	Name.	Date.	Who signed charter.	Rate per month.
		1862.		
1	Red Eagle	Feb. 25	A. C. Hall	$1,000 00
2	E. W. Benton	do	do	732 00
3	Saratoga	Feb. 26	do	575 00
4	Lydia Ann	do	do	648 00
5	Suwaset	do	do	772 00
6	W. P. Philips	do	do	792 00
7	Carpian	do	do	650 00
8	Benjamin Butler	do	do	736 00
9	Julia Ford	Feb 27	J. A. Payne	747 50
10	Ellen	do	A. C. Hall	664 00
11	D. L. Mershon	do	Charles Allen	916 00
12	Ada Ames	do	A. C. Hall	984 00
13	D. M. French	Feb. 28	Thomas H. Stiles	802 75
14	Isle of Pine	do	A. C. Hall	796 00
15	E. Frink	do	Daniel English	562 25
16	J. Clark	do	R. A. Skull	776 75
17	Eliza Williams	do	W. H. Taylor	643 50
18	Frances Edwards	do	John Babcock	838 50
19	Lucy C. Sharp	do	David McElvin	890 50
20	Daniel Malony, (brig)	do	A. Steelman	864 50
21	B. Bois	do	F. C. Bois	893 75
22	Sarah J. Bright	do	Lafayette Smith	676 00
23	Charles A. Greiner	do	Samuel E. Young	682 50
24	Buena Vista	do	Lewis Horton	614 25
25	Z. Stratton	do	J. Steelman	458 25
26	John McAdam	do	David Pierson	1,052 00
27	Commodore Kearney	do	S. W. Lewis, agent	592 00
28	Knight	do	do	656 00
29	Grace Girdle	do	do	904 00
30	W. L. Dayton	do	A. C. Hall	540 00
31	David Smith	do	F. Williams	684 50
32	J. C. Runnyon	do	John Matthias	526 50
33	G. C. Morris	do	William Arbis	900 25
34	Challenge	March 1	W. H. Knight	656 00
35	Louisa	do	Benjamin Hallock	740 00
36	May Flower	do	John Henderson	692 00
37	John Freeman, (brig)	do	Freeman Crowell, 3d	1,199 58
38	J. W. Drisko	do	J. S. Emory, agent	788 00
39	Louisville	do	Benjamin P. Sears	1,048 00
40	George S. Fogg	do	B. S. Wright & Co., agents	600 00
41	Ann Caroline	do	Alexander Bacon	650 00
42	Alice	do	Merrill & Abbott	736 00
43	George Edward	do	John May	844 00
44	Kasbec	do	T. M. Mayhew	632 00
45	John B. Austin	do	John May	920 00
46	Susan Duncan, (brig)	do	S. S. Mitchell	612 00
47	L. C. Watts	do	James C. Ricketson, agent	700 00
48	Manhassett	do	H. S. Ward	1,000 00
49	Mist	do	Merrill & Abbott	1,000 00
50	Ocean Bird	do	George B. Hull	636 00
51	Isabella Jewett, (brig)	do	Joseph B. Reed	792 00
52	James Brophy	do	Seth C. Midlen	552 00
53	R. M. Demil	do	Charles Hendrickson	1,372 00
54	Ellen Middleton	do	Cabel Sipple	868 00
55	Donna Ann	do	Stephen Ellis	592 00
56	Jamestown	do	D. Latometto, jr	1,000 00
57	R. G Welden	do	Jno. Neal	952 00
57½	D. E. Sawyer	do	S. P. Pierson	993 48

A.—SCHOONERS—Continued.

No.	Name.	Date.	Who signed charter.	Rate per month.
		1862.		
58	Belle R. Hull	March 1	Jo Holmes	$892 00
59	B. F. Reeves	do	Geo. W. Carman	664 00
60	Ella G. Fogg	do	B. S. Wright & Co., agents	636 00
61	I N Baker	do	J. H Henderson	910 00
62	Mahlon Betts	do	C. H. Vaughan	702 00
63	Ephraim & Ann	do	G. S. Dole	832 00
64	W. H. Dennis	do	A. Lake	669 50
65	R. G. Porter	do	Enoch Smith	562 25
66	Pangusett	do	Jos. Waples	793 00
67	George Washington	do	A. Steelman	412 50
68	Reuben Knight	do	J. Endicutt	708 50
69	Maria Jane	do	A. C. Hall	876 00
70	A. J. Bird	do	do	716 00
71	Sarah Wooster, (brig)	March 3	Benjamin Lord	712 00
72	Marshall Pevier	do	J. S. Emory, agent	980 00
73	Martha Jane	do	Kilham & Son, agents	764 00
74	Handy, (brig)	do	Eli Handy	1,027 20
75	Julia Maine	do	Chas. E. Prenton	784 00
76	Crawford, (brig)	do	Joub Small	768 00
77	Mary Lowell	do	T. J. Johnson	764 00
78	T. Raymond	do	Geo. A. May	980 00
79	E. P. Sweet, (brig)	do	Samuel Freeman	1,000 00
80	Capella, (brig)	do	Jno. Ace	576 00
81	Estella	do	F. N. Van Brunt	668 00
82	B. N. Fox	do	J. S. Brown	596 00
83	Maryland	do	James Bishop & Co	1,008 00
84	Hannah Warwick	do	Jno. Shrapshine	435 50
85	Jonathan May	do	J. M. Cobb	1,075 75
86	Cicero	do	Jno. Burrows	458 25
87	Empire	do	Lewis Barrett	390 00
88	N. P. Cox	do	W. Honck	562 25
89	Sarah Minge	do	J. N. Weaver	500 00
90	John C. Henry	do	Clinton Sore	648 00
91	Roxbury	March 4	S. W. Lewis, agent	472 00
92	W. Phillips	March 3	A. C. Hall	832 00
93	Julia Baker	March 4	Frances Lewis	548 00
94	Josephine	do	Thro. Waterbury	440 00
95	D C. Higgins	do	Chas. Matthews	976 00
96	Yankee Blade	do	Wilson Combs	680 00
97	Satillo	do	S. W. Lewis, agent	440 00
98	George W. Whisteler	do	John Parker	732 00
99	Empire	do	Leander Kenny, agent	440 00
100	Arctic	do	Merrill & Abbott	904 00
101	D. S. Miller	do	John Creeby	781 48
102	J. Predmore	do	E. L. Cramner	662 48
103	D. H. Bills	do	Forster Brown	888 00
104	Rockingham	do	J. S. Emory & Co., agents	844 00
105	G. R. Dixon	do	Jno. Wilm	828 00
106	Mary Ella	do	John S. Emory, agent	756 00
107	Hyena	do	Thos. Clark	640 00
108	Eugene	do	J. H. Hally	648 00
109	Star	do	Gilford Crowell	644 00
110	Village Gem	do	Pruia Bearse	592 00
111	J. M. Taylor	do	John Parn	668 00
112	J. B. Dickinson	do	John L. Smith	474 50
113	Beulah	do	Jno. Hanson	812 50
114	S. A. Appleton	do	Geo. A. Teque	575 25

A.—SCHOONERS—Continued.

No.	Name.	Date.	Who signed charter.	Rate per month.
		1862		
115	Axle Lord	March 4	A. C. Hall	$840 00
116	Moonlight	March 5	do	1,040 00
117	Titania, (brig)	do	B. B. Shuckford	998 65
118	James Holmes	do	F. B. Holmes	884 00
119	G Dumnel, jr	do	E. H. Chambers	696 00
120	Nimrod	do	W. E. Barnes	400 00
121	Oneida	do	G. B. Smith	600 00
122	Almira T	do	Leander Kinney, agent	636 00
123	Sarah Lavinia	do	B. S Crammer	727 87
124	J. S. Welden	do	G. Smith	640 25
125	Northern Light	do	Joshua Lake	676 00
126	T. Lake	do	C. Dougherty	643 50
127	Jo. Porter	do	Washington Yates	562 25
128	Eclipse	do	A. C. Hall	960 00
129	Thom. Page	do	do	640 00
130	Montezmua	do	do	548 00
131	Only Daughter	March 6	F. W. Falkenburgh	1,209 00
132	Marcus, (brig)	do	Ch. E. Crocker	592 00
133	Henry Remsea	do	W. T. Klots	428 00
134	W. J. Brayton	do	Leander Kenny, agent	892 00
135	Condor, (brig)	do	Brett, Son & Co , agents	764 00
136	Laura Frances	do	S. W. Lewis	568 00
137	E. W. Gardiner	do	C. A. Bourne	848 00
138	Louis Spanier	do	Enoch Lewis	784 00
139	Gazette	do	C. W. Bolt	600 00
139½	North Pacific	do	S. Marcy	709 16
140	Charmer	do	Owen Bearse	876 00
141	Allston	do	E. B. Sawyer	584 00
142	Tangier	do	G. W. Sawyer	700 00
143	Ann D	do	James B. Titus	756 00
144	J. B. Johnson	do	James B. Johnson	756 00
145	Caroline M. Wilson	do	Robert Little	471 25
146	John Stockham	do	A. E. Babcock	861 25
147	Alida	do	A. H. Brown, agent	536 00
148	Samuel Eddy	do	A. C. Hall	1,104 00
149	Dewey, (bark)	March 7	C. F. H. Menges	964 00
150	Amos Falkenburgh	do	A. G. Wilbert	940 00
151	Avon	do	James Woodmansee	816 00
152	Caroline Hall	do	N. W. Lawson	588 00
153	W. P. Williams	do	S. S. Bell	608 00
154	Jo. P. Cake	do	Captain N. S. Endicutt	892 00
155	Mary Frances	do	Richard W. Hallock	400 00
156	Marten	do	W. B. Fisher	392 00
157	Sarah	do	Geo. H. York	544 00
158	Belle	do	Jos. R. Clarke	596 00
159	Adele Felicia	do	Leander Kinney, agent	572 00
160	Jesse Williamson, jr	do	James Winsmore	607 75
161	Hannah Willets	do	Chas. Parson	643 50
162	Sophia Ann	do	Edgen Smith	637 00
163	Isabella Thompson	do	Stidwell Corsen	617 50
164	Willard Saulsbury	do	W. H. Hudson	659 75
165	William H. Ruatan	do	A. C. Hall	684 00
166	A. R. Wetmore	do	do	916 00
167	Fair Wind	do	do	452 00
168	West Wind	do	do	988 00
169	Snow Flake	March 8	A + Dickerson (his mark)	718 25

A.—SCHOONERS—Continued.

No.	Name of vessel.	Date.	Who signed charter.	Rate per month.
		1862.		
170	Albert Pharo	March 8	Samuel Lippincott	$526 50
171	Carper Heft	do	John M. Shoe	422 50
172	Sarah Louisa	do	J. Woodruff	338 00
173	Henry Finch	do	A. C. Hall	1,120 00
174	Jno. Farmer	do	do	916 00
175	Sea Nymph	do	do	768 00
176	Moderator	March 10	do	868 00
177	Aza Eldridge	do	do	508 00
178	M. C. Durfree	do	do	1,040 00
179	Ida Della Torra	March 13	Thomas Morgan	760 00
180	M. Capes	March 14	M. Vom Mame	792 00
181	Alliance			450 00
182	Dwight	March 17	J. W. Hill	552 00
183	New Jersey	March 18	Luke Vanaman	888 00
184	Ernest	March 20	Joseph Thompson	988 00
185	Henrietta		Jno. L. Emory & Co., agents	848 00
186	Maria Pickup		Moses Baker	800 00
188			Total	137,923 15

RECAPITULATION.

No.	Vessels.	Rate per diem.	Per month, at 30 days to the mo.
188	Schooners, at an average cost of	$4,597 43⅚	$137,923 15
62	Side-wheel steamers, at an average cost of	18,700 00	561,000 00
51	Propeller and stern-wheel steamers, ditto	5,945 00	178,350 00
88	Barges, at an average cost of	1,256 00	37,680 00
389	Total	30,498 43⅚	914,953 15

Examination of Mr. John Tucker, continued by the chairman.

Question. Which were the first vessels that you chartered, or that were chartered under your direction?

Answer. The first charters I made were at the time of the riots in Baltimore.

Question. Where did you charter them?

Answer. In Philadelphia.

Question. Did you charter them directly yourself, or some one else?

Answer. The first I had anything to do with were under charter; that was in April, 1861.

Question. Those that you chartered, did you charter directly yourself?

Answer. Yes, sir; I dealt directly with the owners, in reducing the price.

Question. How long did you continue at that time to act for the government in chartering vessels?

Answer. More or less until I was made Assistant Secretary of War, and since that time, when specially requested.

Question. Were the vessels enumerated in table, marked A, attached to your testimony, of side-wheel steamers, chartered by you?

Answer. Yes, sir; assisted by Captain Hodges.

Question. Where were they mostly chartered?

Answer. Mostly in New York.

Question. Did you inspect the vessels yourself?

Answer. I did not, as a rule.

Question. Who did inspect them?

Answer. Captain Loper inspected more than any one else.

Question. Was he in the employment of the government?

Answer. No, sir.

Question. In what capacity was he acting?

Answer. He was attempting to oblige me and the government, by giving the benefit of his experience.

Question. You chartered them upon his representation?

Answer. Allow me to say, sir, the Secretary of War advertised for vessels that were wanted—vessels of all descriptions. Proposals were made to the War Department. Each gentleman who made proposals was requested to meet me on a certain day in New York. I then had his vessels examined, generally by Mr. Loper and the owner, returned the next or following day to make his bargain with me or Captain Hodges. That was the way in which it was done.

Question. Captain Loper went with you to New York?

Answer. Yes, sir.

Question. And inspected the vessels for you?

Answer. Yes, sir.

Question. You knew nothing of the character, dimensions, &c., of the vessels, except according to the representations he made to you?

Answer. I was familiar with a great many of the vessels myself.

Question. But such as you did not know you chartered upon his recommendation?

Answer. Upon the offer of the owners to the War Department, and then his inspection.

Question. I see here the Cecil chartered on the 22d of February; where was she chartered?

Answer. The Cecil was chartered in Philadelphia, but is a Baltimore vessel.

Question. Did you know her?

Answer. I did not.

Question. Upon whose recommendation did you charter her?

Answer. Captain Loper's. He had examined her.

Question. The Columbia, chartered on the 25th of February—do you know her?

Answer. I did not know her then; but that was obtained in the same way.

Question. Upon whose representations was she chartered—Captain Loper's?

Answer. The owner, or the representative of the owner, was there, and made his own representations, which I had.

Question. Who was the owner?

Answer. These Baltimore vessels were represented by A. C. Hall.

Question. You took her upon Hall's recommendation?

Answer. That and Captain Loper's examination.

Question. You took her solely upon their representations?

Answer. Yes, sir; and the written description in the offer.

Question. The Kent, chartered on the 26th—did you know anything of her?

Answer. No, sir; she was taken in the same way. There are a number of those vessels.

Question. The Pioneer?

Answer. The same.

Question. The Lioness?

Answer. The same.

Question. The Portsmouth?

Answer. The Portsmouth, I think, was of Philadelphia.

Question. Upon whose recommendation did you charter her?

Answer. I think the president of the company she belonged to came to see me.

Question. Did you know her?

Answer. I had seen her; still, I had all these vessels examined, when I was not well acquainted with them.

Question. By Captain Loper?

Answer. Yes, sir.

Question. Upon his recommendation you chartered her?

Answer. Yes, sir.

Question. The Pacific—tug?

Answer. She is also a Philadelphia vessel, I think. It is impossible for me to tell in regard to all these vessels.

Question. You had somebody's recommendation, if you did not know them yourself?

Answer. Yes, sir; always.

Question. The Georgia?

Answer. I think she was a Baltimore vessel.

Question. Upon whose recommendation was she chartered?

Answer. The same.

Question. The W. Small?

Answer. I think she is the same.

Question. You mean that she was a Baltimore boat, and was chartered upon the recommendation of Captain Loper?

Answer. Upon the offer of the owners and their description of her, and then the examination of Captain Loper; and Captain Loper's recommendation, that the description was right, and the length and character of the vessel suitable. He gave me a description of the vessel, her size, tonnage, &c. I used my own judgment.

Question. The Atlantic?

Answer. She is a Philadelphia boat, I think.

Question. Upon whose recommendation did you charter her?

Answer. Mr. Flanagan's, I think.

Question. He is the party who made the charter?

Answer. I do not recollect.

Question. Was the Pendulum inspected by Captain Loper?

Answer. Yes, sir.

Question. The Ariel?

Answer. I knew all about her myself.

Question. You took her on your own judgment?

Answer. Very much.

Question. The J. A. Warner?

Answer. The same.

Question. The Nellie Baker?

Answer. I relied a good deal upon the representations of E. A. Souder & Co. in regard to her.

Question. Was she inspected by Captain Loper?

Answer. I don't think she was. I think she was a Portland vessel.

Question. You did not have her inspected?

Answer. No, sir.

Question. The Emperor?

Answer. The Emperor was taken in the same way—through E. A. Souder & Co.

Question. The Argo?

Answer. I forget particularly about the Argo; I think she came through Souder & Co.

Question. The Kennebec?

Answer. I knew all about the Kennebec.

Question. You took her on your own knowledge?

Answer. Yes, sir.

Question. The Massachusetts?

Answer. She was in New York.

Question. Who inspected her?

Answer. Captain Loper, I presume.

Question. Did Captain Loper report the Massachusetts to be a good vessel?

Answer. He or some one else; otherwise she would not have been taken.

Question. She was sent around to the Potomac?

Answer. Yes, sir; and from there to Fort Monroe.

Question. Is the Massachusetts owned by A. J. Richardson?

Answer. Yes, sir.

Question. The May Queen?

Answer. I do not remember her particularly.

Question. The Joseph A. Martin?

Answer. I do not remember her.

Question. The West End?

Answer. She is a small boat, I do not remember her particularly.

Question. The J. W. Lewis?

Answer. She was chartered in New York—offered by her owner.

Question. The Nantucket?

Answer. I do not remember the Nantucket. I do remember the Nantasket. The Nantasket was a Boston vessel, and came through E. A. Souder & Co.

Question. The Commodore Vanderbilt?

Answer. She was chartered in New York, of Mr. Drew.

Question. Who inspected her?

Answer. Captain Loper went on board of her; but she was very well known.

Question. The Commodore?

Answer. The same.

Question. The Achilles?

Answer. The Achilles was chartered of Russel Sturgis.

Question. What was her tonnage?

Answer. I do not remember. She is a powerful tug—one of the most powerful in New York.

Question. Where is she now?

Answer. I do not know.

Question. The T. B. Arrowsmith?

Answer. She is a New York vessel; I do not remember particularly the circumstances of her charter.

Question. The Catskill?

Answer. She was chartered of her owners, and examined by Captain Loper.

Question. The Champion or Edward Lewis?

Answer. She was also chartered by her owners, and examined by Captain Loper?

Question. I judge, without going through the whole of these, that nearly the whole were inspected by Captain Loper?

Answer. Wherever I did not know the vessel particularly well myself, I directed him to go and examine her.

Question. Who examined the Patapsco?

Answer. I don't remember the vessel at all.

Question. She belonged to A. C. Hall, and was chartered at $85 a day?

Answer. She was either examined by Captain Loper, or he knew

all about her; as I stated in my report, I requested them to aid me in the examination of these steamers.

Question. Captain Loper was not receiving any compensation from the government?

Answer. No, sir.

Question. Did you know the amount he charged the owners of these vessels?

Answer. He told me at the time that he should not charge them a cent, and has told me so over and over again since. In regard to that McClellan expedition, he has never received a cent, directly or indirectly, from the owners; that was a condition that I made.

Question. Have you chartered any vessels through him since?

Answer. I have chartered vessels of him.

Question. Any through him, upon his recommendation?

Answer. I may, upon his recommendation.

Question. Did you know what per cent. he charged for recommending them to you?

Answer. I did not.

Question. How many vessels have you chartered through A. C. Hall, of Baltimore?

Answer. I could not answer that without referring to that list; I am very confident that the first time I ever saw Mr. Hall was in Philadelphia; when I began to charter vessels for the McClellan expedition, he came to me and offered me a number of steamers; that was in February, 1862.

Question. Where?

Answer. In Philadelphia, at my office; it was the first time I ever met him, to the best of my recollection.

Question. Who introduced him to you?

Answer. I could not tell you now, sir; I do not remember.

Question. Did he bring any letter to you?

Answer. No, sir.

Question. Did you know nothing of him before?

Answer. No, sir; he had brought a description of a large number of canal boats—Schuylkill canal boats—and offered them to me at a price which we did not agree about. I had a fixed price for all I chartered—ten dollars a day. He demanded twelve; I told him I could not change the price. He went back to Baltimore, and, by return of mail, informed me that I could have them at ten dollars a day; I answered that at that price I would take all that he could get.

Question. Did you see him at the War Department before you saw him at Philadelphia at that time?

Answer. I think not; I have no recollection of ever seeing him until that occasion.

Question. You are confident that you did not advise him to go on and meet you at Philadelphia at that time?

Answer. O, yes, sir.

Question. Did you ever see him at Annapolis?

Answer. No, sir.

Question. Was he introduced to you by Captain Loper?

Answer. He might have been, but I don't remember it.

Question. Did you know anything of an arrangement between him and Captain Loper by which they divided their profits on these vessels?

Answer. No, sir; I did not, most assuredly.

Question. You never heard of it?

Answer. No, sir.

Question. Did you charter the Metamora?

Answer. Yes, sir.

Question. Who did you charter her of?

Answer. Captain Power, I think.

Question. When did you charter her?

Answer. I think it was the last of February or the first of March?

Question. Did you sign the charter-party?

Answer. No, sir.

Question. Who did?

Answer. I presume Captain Hodges did.

Question. At your instance?

Answer. Yes, I think so, sir; I recollect the boat very well, and her being employed in that McClellan expedition; I do not see her name here on this list; I do not see why it is omitted. (Examining the list.)

Question. You are still confident that you chartered her?

Answer. Yes, sir; in the same way as the others.

Question. Do you remember what day she was chartered?

Answer. I do not.

Question. Do you remember the amount at which she was chartered?

Answer. I think it was $450 a day, but I cannot be positive.

Question. Was the charter-party signed at the time you chartered her?

Answer. I presume not. I presume it was signed immediately after.

Question. Why was it not signed at the time of the charter?

Answer. None of them were at the moment.

Question. Why were they not?

Answer. It took some time to prepare the papers.

Question. Do you recollect the time she was chartered?

Answer. It was the last of February or early in March.

Question. Can you specify the day?

Answer. No, sir.

Question. Do you recollect the day when the Metamora went into government employment?

Answer. No, sir, I do not; but I now remember this: that the Metamora came around here to seek service, without any knowledge of my own, and while she was here the owner, Captain Powers, I think, came to me in New York and proposed to put her in with some other vessels that he chartered. I think she was kept running in the service here some little time.

Question. Do you know of her having been repaired?

Answer. Yes, sir.

Question. When?

Answer. I think it was last May or June.

Question. Where was she repaired?

Answer. I believe it was in Baltimore.

Question. To what extent?

Answer. That I do not know.

Question. Do you know whether that was paid by the government or by the individuals?

Answer. By the government.

Question. Do you know why?

Answer. Yes, sir.

Question. State the reason.

Answer. When the President, Secretary of War, and Secretary of the Treasury were at Fort Monroe they called upon me to send a telegraphic message by way of Cherrystone. It was then blowing very strong and very rough. No steamer could go to Cherrystone drawing more than four and a half feet water, I think. Steamers of that draught are not well calculated to stand a gale of wind. The Secretary of War told me that message must go. The Metamora was running on that line. I called upon the captain, and he told me that it was not safe for his boat to go. He had just come in. It was very rough outside, and he did not think it was safe for her to go. I told him the circumstances; that some vessel must go, and if his vessel encountered any damage the government should pay for it.

Question. Did she encounter damage?

Answer. Yes, sir; so it was represented to me.

Question. By whom?

Answer. By the captain, and by others at Fort Monroe.

Question. What others?

Answer. I think, Quartermaster Talmadge.

Question. Anybody else?

Answer. I do not recollect.

Question. Was he the man who had charge of the transportation there, and whose business it was to determine whether a vessel had been injured or not?

Answer. Yes, sir.

Question. Did he report to you in writing?

Answer. No, sir.

Question. Did you give orders for her to be repaired in consequence of his representations?

Answer. I think I did; I think I gave those orders. I made the arrangement with the captain. The quartermaster general approved of the orders.

Question. Did you give the order in writing?

Answer. I think I did, sir.

Question. Was there any limit on the amount of repairing to be done?

Answer. I did not limit it.

Question. Was there any statement in your order specifying the character of the repairs?

Answer. I do not remember the particulars.

Question. How long was she undergoing repairs?

Answer. That I cannot answer.

Question. Do you know whether her charter-party continued, and her owners received pay for her services during the time she was on the ways?

Answer. They did, sir.

Question. Do you know about any lockers being put in her while she was on the ways?

Answer. I do not, sir.

Question. Did you know about her being used by Mr. Van Valkenburgh and others, sutlers, while she was in the employment of the government, for transporting private property?

Answer. I heard, a few months ago, that the captain had got into some difficulty about that, but I supposed that was a recent occurrence.

Question. Did you hear about it at the time the Metamora was lying at Harrison's Landing?

Answer. No, sir.

Question. Did you investigate the subject to ascertain whether it was true or not?

Answer. I did not, for I understood that the vessel was discharged, or to be discharged.

Question. Did you know anything of her receiving pay for four or five days before she actually went into the employment of the government?

Answer. I did not.

Question. I find that her charter-party is dated April 20—nearly seven weeks after she went into the government employment. Why was that delay in executing the charter-party?

Answer. I was not aware that there was any such delay.

Question. If you chartered the Metamora, how happens it that she is not entered on your list that you have furnished to the committee?

Answer. I think you will find on Captain Hodges's original papers, chartering vessels, that the Metamora was chartered and entered regularly on his list, and that a day or two afterwards the owner came to me and said that Major Van Vliet, or the quartermaster here, could not release her, and that her name was, therefore, struck off our list; and subsequently Commodore Vanderbilt came here, just at the time he was giving the steamer Vanderbilt to the government, and some fast steamer was wanted to take him down to Fort Monroe, and the Metamora was assigned to that duty. It is possible that that was the first time I had anything to do with her, and that that might have been the cause of the delay in signing the charter.

Question. Do you know anything about the steamer Highland Light?

Answer. The name Highland Light is very familiar to me, but I do not remember the particulars about her now.

Question. Did you charter her?

Answer. I can only answer that question as the former; the name is very familiar, but I do not remember her.

Question. Do you know anything of the steamer Monitor?

Answer. Yes, sir.

Question. Who did she belong to?

Answer. The Monitor belongs to Captain Powers.

Question. Did you charter her?

Answer. No, sir.

Question. You had nothing to do with her?

Answer. I think Captain Powers made an application to me to charter that steamer, and, if I recollect it correctly, I referred his application and description to Colonel Rucker.

Question. With a direction or intimation that he should charter her?

Answer. Certainly; with no direction, but perhaps an intimation that she would be a very useful boat. She was a new boat. Colonel Rucker applied to me, stating that he wanted such a boat.

Question. Do you know the steamer Telegraph?

Answer. I have no recollection of her.

Question. Did you not charter her?

Answer. I do not remember her.

Question. You do not remember the steamer Baltimore?

Answer. I remember that there is such a steamer, but I am very confident that I did not charter her.

Question. Your business at Baltimore was mostly done through Mr. Hall.

Answer. He came to me at Philadelphia with a list of steamers at a time when I wanted everything that I could get that was suitable.

Question. From that time on he has been in the habit of furnishing the government vessels.

Answer. Very few to me, sir, or through me.

Question. But to the government?

Answer. I do not know what he has done through the quartermasters.

Question. Did you give Major Belger any orders to charter from Hall?

Answer. I may have given some few orders to Major Belger.

Question. Do you remember the time when you gave Major Belger orders to charter vessels of Mr. Hall?

Answer. No, sir; I don't recollect having given such orders; although, if Mr. Hall had come to me and offered a transport which the government was in want of, and I knew it was a proper one, and at a fair price, I may have directed Major Belger to execute the charter-parties.

Question. Did you ever give Major Belger a general direction to charter through Mr. Hall?

Answer. O no, sir.

Question. Did you ever intimate to him that you would prefer that he should charter through Hall?

Answer. Most decidedly *not*, sir.

Question. Was the fact of the chartering of these vessels through Hall ever brought to your attention?

Answer. The quartermaster general has spoken to me of that fact; he did not understand why so many vessels were so chartered.

Question. When did the quartermaster general first speak to you upon this subject?

Answer. I think it was five or six months ago in a casual conversation.

Question. How do you account for the fact that all the vessels were chartered through Mr. Hall at Baltimore?

Answer. I was not and am not now aware that that is the fact.

Question. I think it is pretty much the fact.

Answer. I had no idea of it, sir.

Question. I understand you to say that you never gave any order to Colonel Belger, or intimated any desire to him, that he should charter vessels through Mr. Hall.

Answer. I may have given him orders to charter a particular vessel; but I never expressed any desire that Mr. Hall should have any preference over anybody. That I am positive about.

Question. When the quartermaster general brought the fact to your attention, that there were complaints about Hall having the chartering of vessels in Baltimore, did you take any steps to prevent it?

Answer. No, sir; I did not consider it my duty.

Question. Had you not the subject of transports under your charge?

Answer. Not generally, sir.

Question. What was your specific duty in the War Department, or was it general?

Answer. It was general; but I was sent off in these emergencies?

Question. Did you know the per cent. that Hall was in the habit of charging?

Answer. I do not; I know nothing of it.

Question. Was Hall recommended to you as a competent man for the transaction of such business?

Answer. I presume he was, sir. I do not recollect who introduced Mr. Hall to me.

Question. Did you know anything about his character before he was employed?

Answer. No, sir.

Question. Did you know anything about the business he had been engaged in?

Answer. No, sir; I never saw or heard of him until the morning he came and offered me some transports; such is my present recollection.

Question. Do you know John E. Acker, of New York?

Answer. Yes, sir.

Question. What vessels have been chartered from him?

Answer. The City of Hudson. I am not sure but the Metamora was.

Question. Any others?

Answer. I do not remember any others.

Question. Did you charter the City of Hudson?

Answer. I authorized her to be chartered last August, when transports were wanted to bring General McClellan's army from Fort Monroe and Yorktown.

Question. Captain Hodges acted with you, did he not?

Answer. Yes, sir.

Question. Did he belong to the quartermaster's department?

Answer. Yes, sir.

Question. What was his business in connexion with you? Was it anything else than to sign the charter-parties?

Answer. I conferred with him; but he did not do much more than to carry out the details.

Question. His business was to sign the charters that you determined to execute?

Answer. Yes, sir; and aid me generally.

Question. Why did you not sign them yourself?

Answer. The Secretary of War so ordered.

Question. Do you know the reason he assigned?

Answer. He wanted to have it all done through the quartermaster's department.

Question. Was the quartermaster's department in any way responsible for the contracts you made?

Answer. I suppose they were.

Question. How?

Answer. General Meigs gave Captain Hodges general instructions to carry out my wishes for that McClellan expedition.

Question. Then it was you that was responsible, and not the quartermaster?

Answer. I think it was a divided responsibility. We conferred with each other.

Question. Did he have anything to do except to give official character and sanction by affixing his signature to the charter-party?

Answer. I think the responsibility of those charter-parties for the McClellan expedition should fall on me. I do not think he is responsible.

Question. Then you do not think that the Secretary's views in regard to fixing the responsibility upon the quartermaster's department were promoted?

Answer. The Secretary wanted the quartermaster's department to execute the papers, and attend to the business generally.

Question. I see here in this list several charter-parties signed by W. M. Baird, jr., & Co.; who is he?

Answer. I do not know, sir.

Question. Do you know William M. Baird?

Answer. There is a Mr. Baird, president of a line of steamships in Philadelphia. I only know him as such.

Question. Do you know Thomas Clyde?

Answer. Yes, sir.

Question. Do you know whether his vessels were chartered through Captain Loper or not?

Answer. I think not. Mr. Clyde came direct.

Question. Do you know of Mr. Loper doing anything in connexion with Mr. Clyde's business that would entitle him to charge brokerage?

Answer. I do not.

Question. Did you charter directly from him?

Answer. I did.

Question. Did you know of any per cent. having been charged by Captain Loper in Mr. Flanagan's cases?

Answer. I did not.

Question. Did you charter directly of Anthony Reybold?

Answer. I certainly did in some cases, and I think in all.

Question. Do you know of anything having been done in his cases that would entitle Captain Loper to a per cent.?

Answer. I do not, except that Captain Loper has collected his money and attended to Mr. Reybold's business generally.

Question. Has he for other parties?

Answer. I think he has.

Question. Has he charged a per cent. for that?

Answer. I do not know.

Question. Have any extraordinary facilities been afforded to Captain Loper for transacting business and securing payments in the War Department?

Answer. I recollect on one occasion Mr. Loper was here, in Washington, and was very urgent to obtain money, stating that he had advanced large sums of money to various parties, and was in urgent need of it. He had not only advanced his money, but given his acceptances, an unusual thing for him to do, as he stated, and he was very anxious to obtain some relief by getting some money from the quartermaster's department.

Question. Would you, as agent of the government, have chartered these vessels as readily of the owners as you would of Captain Loper?

Answer. Certainly.

Question. You know nothing, then, that Captain Loper has done for the government, or for these individuals, that would entitle him to a brokerage or commission from these parties upon their charter-parties?

Answer. Nothing except what I have referred to—his advancing and collecting the money for them.

Question. Would you as readily have chartered vessels of the owners as of A. C. Hall at Baltimore?

Answer. Certainly. If you will refer to my report you will see that the government advertised its wants, and directed them to apply, and preferred dealing with the owners.

Question. You know of nothing that Mr. Hall has done to entitle him to brokerage from individuals?

Answer. I do not, further than the owners seemed to have employed him.

Question. Did you know that the owners had employed him?

Answer. I knew in regard to these canal boats. I supposed in regard to these canal boats that the captains had employed him to represent them.

Question. If you knew that, why did you not charter them directly of the captains?

Answer. I would have been very glad to have done that, but they were in Baltimore, I was in Philadelphia, and time was a most important element.

Question. How soon did you want to use them after they were chartered?

Answer. Instanter.

Question. Do you remember the day on which they were chartered?

Answer. No, sir.

Question. Do you remember how soon they were used after they were chartered?

Answer. I do not. I only know I was extremely anxious to get them into immediate service.

Question. How soon after they were chartered were they used?

Answer. I should think that within four days a portion of those barges were on their way from Baltimore to Perryville.

Question. Had you anything to do with the Banks expedition?

Answer. I was sent on, sir, to hurry them off.

Question. Did you charter any of the vessels?

Answer. No, sir.

Question. Did you recommend any to be chartered?

Answer. No, sir.

Question. Were you there when the expedition sailed?

Answer. Yes, sir.

Question. Did Captain Loper have anything to do with it?

Answer. Not that I am aware of.

Question. What occasion had you to telegraph to Henry G. Stebbins in regard to the sailing of the Banks expedition?

Answer. I do not recollect that I did so.

Question. Did you not telegraph to Henry G. Stebbins?

Answer. I may have done so, but I do not remember it.

Question. Had he any connexion with it?

Answer. Not the most remote that I am aware of, sir.

Question. Have you any business relations with him?

Answer. I have had.

Question. Have you now?

Answer. No, sir.

Question. Have you had recently?

Answer. Not for months; not for a year that I recollect.

Question. Are you a stockholder of the Philadelphia and Baltimore Transportation Company?

Answer. No, sir.

Question. Have you ever been?

Answer. No, sir.

Question. You say you know nothing of the steamer Patapsco?

Answer. I do not remember anything about her, sir.

Question. Do you know the steamer George Washington, now called the Constitution?

Answer. I think a steamer of that name was seized here in Washington some months, and the owners came to see me about getting her released; but I am not sure about it.

Question. Do you know the steamer of that name belonging, or that did belong, to Cornelius Wendell?

Answer. No, sir.

Question. Did Mr. Wendell ever apply to you to get a charter-party, or to take up the vessel?

Answer. I have no recollection of anything of the kind. I may say I never chartered one of him.

Question. Did you ever charter one for Bayard Clark?

Answer. No, sir.

Question. Did he ever approach you on the subject of chartering one?

Answer. I do not know him.

Question. He lives at Westchester, New York.

Answer. I am not aware that I know such a man.

Question. Do you know about the steamer Champion?

Answer. No, sir.

Question. Do you remember whether you chartered her or not?

Answer. I have no recollection of it, sir.

Question. I think you testified that you never gave any direction to Colonel Belger to charter of Mr. Hall?

Answer. As I said before, I may have done so in some particular case.

Question. You gave no such general direction?

Answer. I have no recollection of it. I am very sure I did not.

Question. When it was brought to your attention that he was chartering vessels, and that nobody else in Baltimore was, you did not believe that you had authority to change it?

Answer. That was never brought to my attention—that he was chartering all the vessels. I never was aware of that. My recollection is, that in a casual conversation with General Meigs he spoke of Mr. Hall's appearing to be doing a very large business in Baltimore.

Question. Do you know Charles Coblens?

Answer. No, sir.

Question. Did you ever hear of him?

Answer. Yes, sir.

Question. Do you know of his having boats in the employment of the government?

Answer. I think I have heard that he has.

Question. Do you know what ones?

Answer. No, sir.

Question. Did you ever have anything to do with chartering them?

Answer. I have no recollection of it.

Question. Are you confident that you did not?

Answer. I am confident of never having had a transaction with Mr. Coblens.

Question. Neither by himself nor through an agent?

Answer. Not to my recollection, sir.

Question. Has it ever been brought to your attention that he had vessels in the government employment?

Answer. I have heard of it in connexion with recent reports about that man.

Question. Do you know a man named John F. Pickrell?

Answer. Yes, sir.

Question. How long have you known him?

Answer. Eight or ten years.

Question. Where did you know him?

Answer. I knew him in Baltimore and Philadelphia.

Question. What business was he engaged in?

Answer. He was engaged in a general commission business.

Question. Do you know whether he has had any transactions with the government in the matter of transportation?

Answer. I think there was one steamer chartered through him.

Question. What one?

Answer. I do not remember her name, sir.

Question. You have no recollection of more than one?

Answer. No, sir; but there may possibly have been two.

Question. Have not many transactions in connexion with the charter of steamers to government been done by him with brokers?

Answer. Not to my knowledge.

Question. Have you ever had any transactions with him in years gone by?

Answer. Yes, sir.

Question. Do you know the president of the Citizens' Bank of Baltimore?

Answer. I do not, sir.

Question. Have you ever had any conference with Mr. Pickrell in regard to army transportation?

Answer. I think he offered me one vessel, which, my recollection is, was accepted.

Question. Only one?

Answer. It may, possibly, have been two, but I do not remember but one.

Question. Can you recollect the name of either, if there were two?

Answer. No, sir; my recollection of it is that it was a small tug.

Question. Was it the Patapsco?

Answer. I think not.

Question. Was it the Edwin Forrest?

Answer. My impression is that the Edwin Forrest is among those of which I have furnished a list to you.

Question. Did you charter the Edwin Forrest?

Answer. (Having examined list.) Yes, sir. Here is the Edwin Forrest on the list, chartered, at forty dollars a day, through Mr. Hall.

Question. Do these lists that you have furnished to the committee show the exact parties with whom each charter-party was made?

Answer. Yes, sir; I presume so. That is a copy of the report made by Captain Hodges to me.

Question. Of all the vessels?

Answer. Yes, sir. I make these a part of my testimony.

Question. Where you charter a vessel by the month, if you charter on the 20th of September for thirty days, and she is discharged on the 5th of November, do you pay for two full months, or for one month and a fraction?

Answer. I have never paid anything; but the rule should be that she should only be paid for the time she is in the service; and I am very confident that that is the rule.

Question. When was this advertisement from the War Department issued?

Answer. On the 14th of February.

Question. Where were these bids to be offered?

Answer. At the War Department here.

Question. Were many bids made?

Answer. Yes, sir.

Question. How many?

Answer. That I cannot answer, but a large number.

Question. Were they of such descriptions of vessels as were needed by the government, and such as were ultimately employed?

Answer. Yes, sir; many of them were; a large proportion.

Question. How many were rejected?

Answer. Those that were entirely unsuited were, of course, rejected.

Question. Who determined whether they were unsuited or not?

Answer. I did, sir. It was patent. The advertisement was so general that all the steamships were offered. As it was first intended that the troops should embark from Annapolis, and I knew that no vessel drawing over ten feet water could get there, I rejected all that I knew drew more than that.

Question. Cannot a vessel drawing more than ten feet water get to Annapolis?

Answer. That is my present recollection of it, sir; I knew at the time exactly. It may have been fifteen.

Question. Were any sailing ships offered?

Answer. Yes, sir.

Question. Were any accepted?

Answer. No sailing *ships*.

Question. Were sailing schooners? Brigs? Brigantines?

Answer. Yes, sir; schooners were.

Question. Were any rejected?

Answer. I think not.

Question. Were any small-class steamers rejected?

Answer. I do not remember any.

Question. I understand you to say that these bids were offered here?

Answer. Yes, sir.

Question. Were they accepted here?

Answer. They were referred to me, and then I requested the owners and the parties who made the bids, to meet me at certain times and places.

Question. You took Captain Loper with you when you went there?

Answer. Yes, sir.

Question. You had him to inspect them?

Answer. Yes, sir.

Question. He was acting, as you supposed, from purely patriotic motives.

Answer. That was what he assured me.

Question. You had no idea that he was levying a contribution off of these parties, for whom he was acting at the time?

Answer. No, sir.

Question. Have any other bids been issued for transportation by the War Department since?

Answer. Yes, sir.

Question. For what?

Answer. I think it was about six weeks ago the quartermaster

general advertised for transports of light draught, to go down south, either to purchase or charter.

Question. Had you anything to do with them?

Answer. Nothing further than General Van Vliet showed me an order which he had received from Gen. Meigs, and showed me a very large number of vessels which had been offered, and wished to know if I knew about them.

Question. Steamers?

Answer. Yes, sir.

Question. Has it not been understood that you have been the general transportation agent for the War Department for the last two years?

Answer. Not general.

Question. Had you anything to do with chartering the vessels for the Burnside expedition?

Answer. Yes, sir.

Question. Did you charter all the vessels for that expedition?

Answer. No, sir. There being great delay in getting off the Burnside expedition, I was requested to go on and aid him in getting the vessels he wanted. When I arrived there he had procured a large proportion of those he wanted. I aided him in getting the balance.

Question. Did you charter them?

Answer. I did, sir.

Question. Did you charter them through Captain Loper?

Answer. Not in New York, sir; but after General Burnside had arrived at Annapolis he telegraphed me requesting me to send Captaid Loper there, and I applied to Captain Loper and he went. When he got there he aided General Burnside in embarking his troops, stores, &c.

Question. Nearly all the steamers you have chartered you have chartered upon the recommendation of Captain Loper?

Answer. I had been to inspect those for the McClellan expedition.

Question. He was in one way or another connected with them?

Answer. Yes, sir, with the inspection of most of them.

Question. Do you know Captain Powers?

Answer. Yes, sir.

Question. How many vessels have you chartered of him?

Answer. I do not remember but two.

Question. What ones were those?

Answer. The Monitor, and I think the other one was the Connecticut.

Question. Do you know anything of the steamer Columbia?

Answer. Yes, sir.

Question. Who did you charter her of?

Answer. A. C. Hall.

Question. At how much?

Answer. At $350 a day; but I wish to introduce somewhere in this testimony that those prices were all reduced.

Question. The James Baker?

Answer. I do not remember her.

Question. The J. K. Kirkman?

Answer. I have no recollection of her.

Question. Do you recollect the James Murray?

Answer. Yes, sir.

Question. What do you know of her?

Answer. I think the James Murray was chartered for the Burnside expedition at Annapolis.

Question. What was she chartered for?

Answer. I do not remember, sir.

Question. Do you know the steamer Pocahontas?

Answer. Yes, sir.

Question. Who was she chartered of?

Answer. I think she belonged to some company at Baltimore, but I do not remember the name of it. She was chartered for that Burnside expedition. She was one of those that General Burnside chartered himself down at Annapolis. I think it is probable that I signed the charter-party.

Question. Do you recollect a man named J. Brant?

Answer. Yes, sir.

Question. Has he had any contract with the government?

Answer. He has chartered the steamer George Peabody.

Question. Where does he live?

Answer. At Baltimore.

Question. Do you know anything about water contracts that he had with the government?

Answer. Yes, sir.

Question. Who made the contract with him?

Answer. I did, after consultation with Gen. Burnside at Annapolis.

Question. Did General Burnside fix the terms of it, or did you?

Answer. He knew what they were.

Question. Did you fix the terms?

Answer. Gen. Burnside fixed the terms, I think.

Question. What was the character of that contract?

Answer. It was to send a large supply of water down to Hatteras Inlet, to accompany and follow Gen. Burnside's expedition.

Question. Do these papers that you have presented include anything else than the McClellan expedition?

Answer. No, sir.

Question. Do I understand you to say you have had connexion with chartering other vessels besides those?

Answer. Yes, sir, I have chartered others.

Question. Why did you not produce those?

Answer. I give you the reasons in that answer to the first interrogatory.

Question. What is that reason?

Answer. I have not got them. I had no occasion for the record of those charters. They have all been sent to the quartermaster's department.

Question. Has every charter with which you have had any connexion been sent to the quartermaster's department?

Answer. I take it for granted that is so. I know of no exception.

It was expected at the time that those chartered for this McClellan expedition would be used for only 30 days. If it had been known that they would be kept in service as long as they were the prices could have been very much reduced, and particularly as in the spring and summer there is very much less risk, and in July, after having suggested several times that the number of transports should be reduced, I wrote a letter to Captain Hodges, requesting him to reduce the prices. In July I wrote to Captain Hodges (see letter hereto appended) suggesting that all charters at $150 or less should be reduced ten per cent.; all over $150, and less than $350, twenty per cent.; all over $350, twenty-five per cent. I have this morning obtained a copy of your report relative to the Banks expedition, and I find that the Eastern Queen was chartered for that expedition at $900 a day for 30 days, and $500 a day for the balance of the time she may be employed. She had been previously chartered by me for the Burnside expedition at $500. The steamer Quinnebaug, chartered by me at $130 a day, obtained $250 on the Banks expedition. The Shetucket, chartered at $150 by me, got $250 on the Banks expedition. The Charles Osgood, the same. The James S. Green, at $200, by me, was chartered at $250 for the Banks expedition. The steamer Salvor, at $350, by me, was chartered at $450 for the Banks expedition, and the steamers Albany and Jersey Blue, at $150 each by me, were chartered at $250 each for the Banks expedition. Those chartered by me were subject to the reduction before alluded to. They were subsequently reduced, I believe, to the extent I have stated, with the exception of the Eastern Queen, which had been discharged, and possibly one or two others, that had been discharged before the reduction was made.

JOHN TUCKER.

WASHINGTON, *Saturday, January* 31, 1863.

JOHN TUCKER, recalled, testified further, as follows:

Examined by the chairman.

Question. I hand you a list marked "A," furnished to this committee by Captain R. F. Loper, headed, "Steamers recommended for charter for the use of the expedition under command of Major General McClellan, United States army." Are those the vessels, with the tonnage and rates affixed, which were chartered by you upon the recommendation of Mr. Loper?

Answer. These appear to be the vessels which Captain Loper examined, and which were chartered for the McClellan expedition. I have had no opportunity of examining these prices, but I suppose they agree with the records of the quartermaster's department. I notice that some of these steamers are those which were offered to the Secretary of War, in reply to his advertisement; at the same time I presume they are those which Captain Loper examined.

Question. Then I understand that the vessels in this list, marked A, furnished by Captain Loper, were chartered for the government upon his inspection and recommendation?

Answer. I do not know that he recommended them all.

Question. It states that he recommended them?

Answer. I have no doubt that is correct.

Question. You say the first time you ever saw Mr. Hall was at Philadelphia, at your office?

Answer. That is as I recollect.

Question. Did he go from Philadelphia to Baltimore at your instance?

Answer. Not that I remember of.

Question. Do you know of Captain Loper advising him to go back?

Answer. No, sir.

Question. Did you ever meet him again at Philadelphia?

Answer. Yes, sir.

Question. How soon after that first meeting?

Answer. I do not remember. I cannot remember whether it was one month or three months.

Question. Was it less than a month?

Answer. I think not.

Question. When you first met him in Baltimore did he have with him a list of vessels, with their tonnage, and a description of those that he proposed to charter to the government?

Answer. Yes, sir.

Question. He went on for that purpose—to charter vessels?

Answer. I presume so.

Question. Did he represent that he had the vessels then in his charge, ready to charter?

Answer. He did.

Question. Where did he represent that they were?

Answer. At Baltimore, I understood.

Question. Did he bring any letter of recommendation to you from any one?

Answer. That I do not recollect.

Question. You do not remember that he was recommended by anybody present?

Answer. He probably was introduced by somebody, but I do not remember who.

Question. Do you know of the Matamora, after she was in the employment of the government, some time between the first and the 6th of March, going on one or two pleasure excursions, down to the rebel batteries on the Potomac?

Answer. No, sir; that I do not know anything about.

Question. Do you know, or did you ever hear, of her receiving compensation for two or three days before her charter-party went into effect, before she was actually taken into the service of the government?

Answer. No, sir.

Question. How long have you known Mr. Pickrell?

Answer. I should say I have known Mr. Pickrell for eight years.

Question. Did you ever have any business relations with him?

Answer. O, yes, sir. We had business operations together.

Question. Did you recommend Mr. Pickrell to Colonel Belger?

Answer. No, sir; not to my recollection.

Question. Did you to any one?

Answer. No, sir. In giving my former testimony, you asked me if I had ever seen a man named Coblens. Upon reflection I think I did see him in Baltimore. I passed part of a day in Baltimore with General Wool, and I called upon Colonel Belger, or he called upon me, I have forgotten which, and I rode a horse that afternoon which Colonel Belger furnished, and I had the impression that Coblens owned that horse, and that I saw him; but I am not positive of it. I never had any business transactions with him. I may have been introduced to him at Fort Monroe. Upon reflection I remember that Captain Loper did not, as I stated in my previous testimony, examine the steamers chartered in Baltimore, viz., the Cecil, Columbia, &c.; but only those in Philadelphia and New York, as he was not in Baltimore at the time, and my remarks relative to his examination, &c., apply only to the transports chartered in Philadelphia and New York for the McClellan expedition. JOHN TUCKER.

Letter of Mr. Tucker, Assistant Secretary of War, to Captain Hodges, assistant quartermaster, in relation to the reduction of prices af steamers alluded to in Mr. Tucker's testimony.

WAR DEPARTMENT,
Washington City, July —, 1862.

DEAR SIR: You are aware that at the time we chartered the transports for General McClellan's expedition we supposed that they would only be required for about thirty days. It was then assumed that these vessels would have to make their trip to and from Fort Monroe in the boisterous month of March. The marine insurance, especially on the bay and river steamers, was enormously high. Many of these steamboats had to be withdrawn from their regular lines, with an uncertainty as to the length of time their services would be required. Under such circumstances, and especially from the urgent necessity of procuring such immense transportation facilities, the compensation agreed upon was very much higher than would have been paid, or even demanded, had it then been known that these transports would have been required for so many months. I do not purpose to make any changes, however, in the compensation of barges or sailing vessels, as, at the present time, I doubt if they could be chartered at lower rates; and many of the owners of these I know would be glad to have them discharged from service. It is very different, however, with the steamers. I therefore wish you to avail of the earliest opportunity to make the following proposition to the various parties who chartered steamers, viz: a reduction on all charters at $150, or less, 10 per cent.; all over $150 and less than $350, 20 per cent.; all over $350, 25 per cent.; as nearly all these charters were made late in February, or early in March, the change to take effect at the end of a month's services, late in July and early in August.

You will please report to me the decision of the parties as early as possible, as it is intended to discharge at an early day such as may refuse to make the the abatement. Should any contend that a reduction of 20 and 25 per cent. is too large, which I am confident will not generally be the case, you will please remind them that for five months they have been most liberally compensated.

Very respectfully, your obedient servant,

JOHN TUCKER,
Assistant Secretary of War.

Captain HENRY C. HODGES,
Assistant Quartermaster, New York.

WASHINGTON, *Monday, January* 26, 1863.

CORNELIUS WENDELL, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your residence.

Answer. Washington.

Question. Your occupation?

Answer. Printer.

Question. Are you the owner, in whole or in part, of any steam vessels?

Answer. I am not.

Question. Have you been?

Answer. I have.

Question. What vessels?

Answer. The steamer George Washington.

Question. When did you buy her?

Answer. In 1858, I think.

Question. When did you part with your interest in her?

Answer. I think on the 8th day of January last.

Question. To whom did you sell her?

Answer. I left a blank bill of sale in the hands of a friend, the blank to be filled up with the name of the purchaser. I do not remember whose name was inserted, but Mr. Bayard Clark, of New York, negotiated it. He resides in Westchester county; his post office address is New York city. He was the negotiating man. I think his was not the name to be filled in.

Question. Was that steamer, whilst you remained an owner, employed by the government of the United States?

Answer. She was.

Question. When did you charter her to the government?

Answer. I chartered her, through my captain, to Mr. Bayard Clark, I think, in April or May, 1862.

Question. For how much?

Answer. For $100 a day.

Question. How long did that charter last?

Answer. That charter-party, or a new one, is still existing, as I am informed and believe. She is still in the service.

Question. Has she been continually in the employment of the government from April or May, 1862, until the present time?

Answer. So I have been informed and believe, with a slight interval between the expiration of the first charter and the present one.

Question. When did the first charter expire?

Answer. I cannot tell. It was to have been ninety days, if my memory serves me, from the time she reached Hilton Head.

Question. Was she sent to Hilton Head immediately upon the charter being executed?

Answer. Yes, sir.

Question. Then she probably reached Hilton Head in May, 1862?

Answer. No, sir. I think she commenced in June, 1862. There

was some trouble about her getting in. She was arrested, taken for a blockade runner, and sent back. There was some little delay in getting her there. Ninety days from the time she arrived her charter expired.

Question. Was that charter payable to you?

Answer. No, sir. I chartered her to Bayard Clark for $100 a day, and Bayard Clark chartered her to government.

Question. At how much did he charter her to the government?

Answer. At $350 a day. I saw the charter, and am positive that it was $350 per day.

Question. Then Bayard Clark's profits on the boat were $250 a day?

Answer. Yes, sir.

Question. Did you think that you were getting a fair compensation for the boat when you chartered her at $100 a day?

Answer. O, yes, sir. I was richly paid. I would have let them have her at $50 rather than not have her go in.

Question. Do you say that you have seen the last charter-party?

Answer. No, sir, the first one.

Question. By whom was it signed?

Answer. A man by the name of Campbell, and Fuller. Fuller on behalf of the government. Campbell, as Clark informed me, was his (Clark's) agent.

Question. Who was Fuller?

Answer. The quartermaster, as I was informed at Hilton Head, on General Hunter's staff.

Question. Have any repairs been put upon this vessel by government?

Answer. I understood that the government had knocked away her upper works and made a gunboat of her. She got a terrible racking going around. She was a little river boat that ran from Albany down to Newburgh. Scant two hundred tons. I had been trying to get her chartered directly to the government. I would have been glad to have got $100 a day for her direct from government, and I would have taken $50 rather than not have chartered her, because she was dead stock at the time. I applied many times to Mr. Tucker, Assistant Secretary of War, to get him to charter, but I did not succeed.

WASHINGTON, *Tuesday, January* 27, 1863.

HENRY DIGGS, being duly sworn, testified as follows:

Examined by the chairman.

Question. State where you reside and what is your occupation.

Answer. I reside in the city of Baltimore; my occupation is clerk and bookkeeper for John F. Pickrell.

Question. Do you keep the books of Charles Coblens?

Answer. I do not know of any books belonging to Charles Coblens. I was talking with Mr. Coblens yesterday. His papers he told me were all deposited in the Citizens' Bank as collateral security for what he owes the bank, his charter-parties, vouchers, and bills of sale.

Question. He has no books?
Answer. No, sir.
Question. Are you in his employment?
Answer. No, sir.
Question. Did you ever receive any compensation of Mr. Charles Coblens of any description whatever?
Answer. No, sir.
Question. Do you know of any transaction between Pickrell and Coblens?
Answer. Mr. Pickrell is a merchant, and does business as a commission merchant for Mr. Coblens.
Question. He does Coblens's business?
Answer. Yes, sir.
Question. How long has he been engaged as Coblens's commission merchant?
Answer. I do not know, I having been in Mr. Pickrell's employment for but a short time.
Question. For how long a time have you been there in his employment?
Answer. Since the first of October.
Question. Are they partners in any transactions?
Answer. I do not know that they are.
Question. Are they jointly interested in any vessels?
Answer. It does not appear so from the books?
Question. According to the books, who appears to be the owner of the Patapsco?
Answer. That I do not recollect.
Question. Of the Baltimore?
Answer. Mr. Coblens, Mr. McFarlane and Samuel Bell.
Question. Does Mr. Pickrell have any interest in her?
Answer. I don't see his name mentioned.
Question. Has he any interest in the Edwin Forrest?
Answer. I don't see his name in connexion with her.
Question. Has he any interest in the Fairy Queen?
Answer. I don't see his name connected with any of these vessels.
Question. With no vessel whatever?
Answer. No, sir.
Question. So far as you know from the books of Mr. Pickrell, he is not the owner in whole or in part of any vessel?
Answer. No, sir; not as appears from the books.
Question. What kind of business does Mr. Pickrell transact for Mr. Coblens?
Answer. He appears to be disbursing agent, and receives commissions.
Question. What commissions does he receive?
Answer. It is five per cent.
Question. Five per cent. for doing what?
Answer. For disbursing and acting as commission merchant.
Question. Five per cent. for paying out money?
Answer. Yes, sir, and collecting.
Question. Does he not receive more than five per cent.?
Answer. I do not see anything more that is charged?

Question. Do Mr. Pickrell's books show that he has received from Mr. Coblens any other sum than this commission?

Answer. No, sir.

Question. Do his books show that he has received any sums for chartering the boats?

Answer. No, sir.

Question. Do his books show any large accumulation of capital or wealth during the last year?

Answer. No, sir. I have with me and can show you a copy of his balance-sheet, which I drew off at the request of Mr. Pickrell.

Question. Whose balance-sheet is this?

Answer. John F. Pickrell's.

Question. I see here charged, cost of the James Murray, $7,310. What does that mean?

Answer. That is the cost, and expenses, and repairs.

Question. Do you understand from that item in the balance-sheet that Mr. Pickrell is the owner of that amount in the James Murray, or is that the amount that he has disbursed for and on account of Charles Coblens?

Answer. That shows the amount of the cost of the vessel, and the expenses on the vessel.

Question. Why is that charge entered on this balance-sheet?

Answer. That is done for the purpose of closing the account.

Question. Closing the account with whom?

Answer. It is for closing the account and carrying the balance to disbursements of Charles Coblens.

Question. You say that the books of Mr. Pickrell do not show that he is the owner of any part of the James Murray?

Answer. No, sir; they don't.

Question. You have no knowledge that he is?

Answer. No knowledge at all.

Question. Do you know that he is not?

Answer. I have no knowledge of it at all. I have never seen any of the charter, parties or bills of sale.

Question. I see here against the name "Samuel Bell," $5,914 25. Is that against an individual or a steamer?

Answer. Samuel Bell is an individual.

Question. I see down here against the name, as the cost of the Telegraph, $6,326 20. Is that the amount Pickrell advanced to buy Coblens's interest in the Telegraph?

Answer. I don't understand it as such. That is the amount paid for the Telegraph and the costs.

Question. The amount paid by whom?

Answer. By Mr. Pickrell, as I understand it.

Question. The Baltimore is down at $15,950. Is that the amount paid by Mr. Coblens for the Baltimore, or is it for cost and repairs?

Answer. I think it is somewhere about that amount for Mr. Coblens's share, which is over half, $\frac{23}{40}$; it is cost and repairs.

Question. The Patapsco is down at $1,800?

Answer. Yes, sir; that is the original cost of the Patapsco.

Question. Are you certain of that?

Answer. So I have been told. It is only hearsay.

Question. You understand that these items that are in this balance-sheet set against the names of the James Murray, the Telegraph, the Baltimore, the Patapsco, the Haswell, the Fairy Queen, Edwin Forrest, and Lioness, are the amounts which the vessels cost Mr. Coblens, and are the value of Coblens's interest?

Answer. That is the whole cost of the vessel, as I understand it, including the expenses.

Question. Is Mr. Coblens, according to this balance sheet, charged five per cent. on the amount of the cost of these vessels?

Answer. He is charged five per cent. upon the receipts of each of these vessels.

Question. I find here, "Profit and loss $33,852 16." What is included in that?

Answer. That includes, I suppose, all the profits—the commissions of Mr. Pickrell on the receipts. These books of Mr. Pickrell are of long standing. They extend back to long before I went there. I have been there but a very short time.

Question. How far does this balance-sheet go back?

Answer. It goes back several years. I do not remember exactly the time, but long before I was in Mr. Pickrell's employment.

Question. Did you make this account?

Answer. Yes, sir.

Question. Do you swear that that is a correct account?

Answer. Yes, sir, a correct account from the books.

Question. You have no knowledge of Mr. Pickrell having the slightest interest in any steamboat, or other vessel?

Answer. No, sir; I have no knowledge of it.

Question. You never have heard any conversation between Coblens and Pickrell to that effect?

Answer. No, sir.

Question. Nothing on the books of Mr. Pickrell would indicate anything of the kind?

Answer. No, sir.

Question. You never have kept the books of Mr. Coblens?

Answer. No, sir. He says he has no books. He told me yesterday his papers are deposited in the Citizens' Bank.

Question. How long have you known Charles Coblens?

Answer. I never saw him until after I went to Mr. Pickrell's.

Question. Was Mr. Pickrell doing Mr. Coblens's business when you went there to work for Mr. Pickrell?

Answer. Yes, sir.

HENRY DIGGS.

WASHINGTON, *Tuesday, January* 27, 1863.

WILLIAM T. RICE, being duly sworn, testified as follows:

Examined by the chairman.

Question. State where you reside, Captain Rice, how long you have resided there, and what your occupation is.

Answer. I reside in the city of Baltimore, and have resided there all my life, which has been fifty years. I have been steamboating, off and on, for twenty-odd years.

Question. Have you within the last year owned a vessel?

Answer. I have owned the steamboat Cecil.

Question. When did you part with your interest in her?

Answer. July 16th, 1862.

Question. Had she prior to that time been in the employment of the government?

Answer. Yes, sir; she was at that time.

Question. When was she employed?

Answer. In February, 1862.

Question. Who was she chartered by?

Answer. By me.

Question. To whom?

Answer. To the government, through A. C. Hall, of Baltimore, and Captain Hodges. I never met Captain Hodges until April or May, and then in New York, where I went for the pay of the boat.

Question. At what rate?

Answer. The understanding was at $75 a day; but when we came to sign the charter-party, we found we were to get five dollars more, and it was $80. I went to A. C. Hall's office several times to sign the charter-party, but was told Captain Hodges had not yet come on. The steamboat Cecil left Baltimore March 12, 1862; I sent her away in charge of my mate, as the charter-party was not signed yet. Some days after the boat left I was at A. C. Hall's office. He called me out to the door and said: "I got you $80 per day; you can give me the extra five." I said nothing. He continued, "Go in and give my clerk the dimensions of the boat, and he will fill up the charter." I did so; and in a few days called, and found the charter had been signed by Captain Hodges, and I took it and left.

Question. What became of that?

Answer. It all came to me, except a portion that Mr. Hall claimed.

Question. How much did he claim, and how much did you pay?

Answer. When he first sent for me he claimed $262, and some cents, but after talking about it for some time, I told him his charge was enormous, and I did not think he was entitled to anything at all; but he told me that he had been to Philadelphia, and had been to a great deal of trouble and expense, and that everybody else was paying him. He said that he had caused everybody else but steamboat owners to give him a written obligation, but supposing that steamboat owners

were gentlemen, and understood what they were about, he thought it was not necessary. I still demurred and would not pay it. Before this conversation with Mr. Hall took place I had talked with Mr. John Henderson, corner of Commerce street and Baltimore. He met me in the street and asked me if Hall intended to charge me a commission. I said, not that I was aware of, and that I thought he was not entitled to any. Said he, "Is it not in the charter-party?" I said, "No." I asked him if he intended to pay him any. He replied he thought not. "He said if I went to Washington with the matter it would raise trouble. He left, and in a day or two after, this conversation with Mr. Hall took place. He demanded $262; and I demurred. I went off and saw Mr. Henderson again. The boat was then on the Potomac. Mr. Henderson said it might possibly be that he had had a good deal of trouble, and he might be entitled to one month's pay, but not more than one month's pay. I went to Mr. Hall and said, "I am willing to compensate you for any trouble you have had in the matter, but I don't think you are entitled to anything in this way." He said, "Yes, you must pay me that." Finally, he began to talk pretty strong. He said, "You were willing to charter this boat for fifty dollars a day?" I said, "Yes, I was willing that the government should have her for whatever they were willing to give, if it was $50 a day, and I told you I thought the government had been imposed upon; that boats inferior to her and with less cost had been getting a larger price." He said, "You were willing to take $50, and I got you $75, and then $80, and you ought to be willing to pay this." Said I, "To settle this, I will give you $150." He took it. This was some time, I think, in May. Some six weeks or two months after that he sent for me again, and I went to see him. He told me he wanted more commissions. Said I, "You are not entitled to any at all that you have received. I have settled with you and I cannot give you any more." He then took me from the office to the back of the store and said, "You are a secessionist." Said I, "Am I? Who told you that?" Said he, "I can prove it." Said I, "Whoever told you that told you an infamous falsehood; let my prejudices be what they may, I will not defraud the government. My boat is chartered for less than perhaps any other to government and has performed her duties night and day. While I was there my mate received instructions never to fail to do everything to aid and advance the government." Said he, "I got a letter this morning, and if you don't pay this I will get you into trouble. I got a letter this morning, saying, 'Did Rice pay his commission.' You will make enough money out of the boat and must pay it." I said, "Yes, I have no fault to find with the price, but I will not consent to this levying of black mail. It is principle with me altogether." He said, "You had better do it." I refused and went away. I met him after that one day on Baltimore street; I was with my wife. He was in an omnibus car and nodded to me as he went by. By the time I got home he was there too. He had jumped on another car. He said, "I have come down to see about this commission. If you don't want to get yourself into trouble you had better pay it." I said, "I have told you already that I would not do it. It is a prin-

ciple with me." Says he, "Then I'll show you what will happen. I didn't think you would act in this way. You are the only man among the steamboat men that has refused to pay me, and some of them have paid me liberally." He made more remarks and went away threatening. This was on the 14th. The next morning, on the 15th, Mr. Pickrell came down. He gave me a very kind greeting and said to me, "Mr. Hall tells me that you own the Cecil, and that she is discharged from the government service. Did you know it?" I said, "I did not know it." Said he, "Hall told me this morning that the Cecil was discharged, that he had got a letter from Captain Hunt, at Old Point, that he wanted a boat down there, and he said Mr Rice has a boat that will suit the purpose, and he has no use for her as she is now discharged and you may buy her very cheap." He asked me what I would take for her. I said, "This thing is bothering me a great deal. Do you really wish to buy the boat?" He said, "Yes, I do." "Then," said I, "you may have her for $5,000." He said, "I won't give the half of that, and began talking about her." Said I, "There is no use to talk about it. She is worth that, if she is a good boat, and with her charter she is certainly worth $10,000, but to get rid of this matter, I will sell her for $5,000. He said, "She is not worth that, for she is discharged." I said, "I do not know anything about that." He left, went to his carriage, and returned and said, "Take a thousand off of that." I said "No; two months of the charter will pay the cost of the boat." He remarked, "Well, perhaps she is not discharged. If she was not discharged she would If you will wait until three o'clock this afternoon I will give you an answer." "Very well," said I. About an hour or two after that a note came to me from Captain Applegarth, that he desired to see me on very particular business, important to myself. I went down. He said, "There is a difficulty between you and Hall, about the commission. He continued, "I know this thing of paying commission is very hard, but you had better submit to it as you are making money. Hall told me to tell you that if you would pay your commission the boat was not discharged, and you may pay what he claims and keep her. I have to pay commission too. I went to Colonel Belger and told him it was hard. He said it was hard but I had to do it. I told Hall that I would not do it and could not. But he insisted upon it." That afternoon, at 3 o'clock, Mr. Pickrell sent his man down to take the boat. The next morning I went up at 9 o'clock, with an instrument stating that the business was closed that day, and the money paid, and went to a notary public and gave him all the information he desired, and at half-past eleven told Mr Pickrell that the bill of sale was ready, if he would sign it. He said, "The man I bought her for is not here." I asked, "Didn't you buy her for Mr. Hall?" He said, "No, for Mr. Coblens." I then said, "I do not know Mr. Coblens." He said, "Where is your charter?" I told him it was at home. He said, "We must have the charter." I told him, "You can't have that until I am paid by the government. It is the only thing I have to show for my claim for payment when I go down to Washigton." Said he, "I will pay you what the gov-

ernment owes you." I said, if he did, he could have it. When I left him I requested him to have his check indorsed good by the cashier of the bank. I went down home, and brought up the charter-party. When I returned Mr. Pickrell said, "I don't know that the government owes you anything. Do you expect me to pay you?" I said, "You told me to get the charter-party, and that you would pay me what the government owes, but I am to take your word for it." I told him I did not want him to pay me; that I could go to Washington and get the pay. He got up and walked up and down the floor, apparently very angry, saying, "Captain Rice, you are a very stubborn man, and that I (Mr. Pickrell) must get my check marked good." By that time the Jew came in, who I never had seen before. Mr. Pickrell said to him, "This is Captain Rice; if you choose to have any dealings with him you can do so, for my part I wash my hands of him." I replied, "Mr. Pickrell, then we will consider our business at an end," and started out. He called me back and said, "Captain Rice, what is it you want." I said, "I want you to go by that writing which you signed this morning." He replied, "It is not worth the paper it is written on." He then said, "Are you willing to put the charter-party in a third person's hands?" I replied, "Yes, Mr. C. Morton Stuart." He objected and said, "Put it in Mr. Hall's hands." I told him I would not. He said, "Don't you think he is an honest man?" I answered, "I have nothing to say about that. I do not want to have any business with him. If you want to do any business with me in this matter you must go before a notary public." I left. The Jew followed me to Mr. Stuart's. After a good deal of hesitation he gave me a check for the boat, and I retained the charter. A day or two afterwards Major Miller paid me over at Washington, and my transactions here ended. I left the charter with Mr. Stuart, where P. got it.

Question. How long did she remain in the employment of the government?

Answer. She is in the employment of the government now. She has been in Baltimore eight or ten weeks, undergoing repairs, but she has gone away.

Question. At the same rate as before?

Answer. I do not know.

Question. How large a boat is she?

Answer. She is 120 tons—a very fine little boat, sir. She was at a less price, I think, sir, than any other boat he has got in the service.

Question. Is it understood in Baltimore that Mr. Hall exacts a compensation from everybody who charters a vessel?

Answer. It is now, sir, I believe.

Question. Has it been?

Answer. I do not think it was prior to the charter of our boats.

Question. Prior to what time?

Answer. About February, 1862. In fact, I had no business with Mr. Hall at all. I did not know much about him. I do not know what others might have known. I never had had any business with

him, except on one or two occasions. I thought it was better not to have anything to do with him. He sent for me in February.

Question. Did you ever know anything about Hall before these transactions?

Answer. Very little myself I knew of him.

Question. What was his reputation?

Answer. His reputation has been bad.

Question. Has that always been his reputation before these transactions?

Answer. Yes, sir. He has always been looked upon as a man who, as the saying is, "had an itching palm." He loved money and in order to obtain it he would let principle go. He subsequently bought an old iron boat called the Patapsco for $1,200—an old boat that had been thrown away, as perfectly useless, by the commissioners for deepening the harbor of Baltimore. They threw her away and Hall went down and bought her last February or March for $1,200, and put her in this man Coblens's name, and chartered her to the government at $80 a day, as I am informed. She cannot do service enough to pay for the fuel she consumes. She is a double engine boat and was built for South America in 1845, I think. The commissioners for deepening the harbor of Baltimore bought her. They soon found that they had bought something of very little profit and threw her aside, and got a new one. She paid for herself before the end of the first month. They had an old barge down here for which they got $70 a day. She was worth about $300—the barge Delaware. She at first belonged to a company and Hall bought her for $1,500, I think.

Question. Do you know how it comes that Mr. Hall had the charge of all this business in Baltimore?

Answer. No, sir, I do not.

Question. Is it understood in Baltimore that it is impossible to charter a vessel to government except through Mr. Hall?

Answer. I have heard that it was, sir, that it was necessary to go to Hall.

WILLIAM T. RICE.

WASHINGTON, *Sunday, Jan.* 31, 1863.

ANTHONY REYBOLD, being duly sworn, testified as follows:

Examined by the chairman.

Question. State your name, residence and occupation.

Answer. My name is Anthony Reybold; my residence, Delaware city; my occupation is farming principally.

Question. Are you the owner, in whole or in part, of any vessels now in the employment of the United States government, or that have been in its employment within the last eighteen months?

Answer. Yes, sir.

Question. State their names?

Answer. The William Whilldin, and the Express—some of them

have not been in eighteen months—a small one called the Star; the Diamond State, and the John Tucker, I own. Then I am part owner in some others. I own one-fourth of the steamer Burnside, and recently I owned one-half of the Wilson Small; I own one-ninth of the Swan; she belongs to a company of us in Delaware. She has been recently chartered. I believe that is all.

Question. Are you the president of a steamboat transportation company?

Answer. No, sir.

Question. State through whom you effected your charters to the government.

Answer. The first boat that was taken was the Whilldin. The circumstances attending that were, I was down at Baltimore, at the time of the riot there, and going up that night in the Ericson boat, all things were in excitement.

Question. State through whom you effected your charters.

Answer. I want to mention this, as it is the starting point. That riot there in Baltimore was on the 19th of April. The next day, on arriving at Philadelphia, I was met by a gentleman named Huddell, who wished me to go down to Captain Loper's. He met me on the boat Reybold, and wanted me to go down to Captain Loper's. Well, I went down to Captain Loper's office, and he told me the government wanted the Whilldin.

Question. And you chartered her to him?

Answer. Well, I asked him what price they would pay for the Whilldin. He said he did not know, but they must take her. They took the boat. She was then pretty near loaded, going down on her regular route, and we had to unload her.

Question. They took her?

Answer. Yes, sir.

Question. Was any charter-party signed?

Answer. It was, some three or four weeks—

Question. Please answer me, and we will get on faster. Was any charter-party signed for her?

Answer. There was, some three or four weeks afterwards.

Question. Signed by whom?

Answer. I think it was signed by Captain Loper; I am not certain.

Question. Who determined the amount that should be paid—you and Loper?

Answer. I think so.

Question. Who effected the other charters?

Answer. The next taken was the Express; and that was through Mr. Tucker.

Question. What was the next boat?

Answer. I think the next boat in order was the Star; I am not certain.

Question. Who was that through?

Answer. Captain Loper mentioned to me about her. She was only chartered for a short time.

Question. What was the next one?

Answer. The next one was the Diamond State.

Question. Who was that through?

Answer. Captain Loper mentioned to me about her, though that was in Mr. Tucker's office with Captain Hodges, quartermaster in New York. It was in Mr. Tucker's office.

Question. What other one?

Answer. The next was the John Tucker.

Question. Who chartered her?

Answer. Well, Mr. John Tucker.

Question. What one was next?

Answer. The next boat was the Wilson Small, I think.

Question. Who did you effect that charter through?

Answer. I did not charter her; Mr. Needham, of Baltimore, did it.

Question. Did he effect it through A. C. Hall?

Answer. No, sir; I think it was at Alexandria; but I am not certain.

Question. What was the next one?

Answer. The next boat, it strikes me, was the Pocahontas. I had not anything to do with the charter of her in any shape. I just owned one-fourth of her.

Question. What was the next one?

Answer. I think that is all.

Question. Are those all that you are interested in?

Answer. Those and the Swan.

Question. Who chartered her?

Answer. I think Mr. Taggard effected the charter, though my brother Barney is the president of the company.

Question. Is the Whilldin still in the employment of the government?

Answer. Yes, sir.

Question. How much did you pay Captain Loper for his trouble? What was his brokerage on the charter-party of the Whilldin?

Answer. I paid Captain Loper five per cent. for collecting the money that the boats earned.

Question. That was from the time she first went, and as long as she has been in?

Answer. Yes, sir.

Question. Is that the full amount you have paid?

Answer. Yes, sir.

Question. Have you paid anything for advances, or anything of any description?

Answer. No, sir.

Question. You paid five per cent. all the time?

Answer. Yes, sir.

Question. Has she been in the employment of the government since April, 1861?

Answer. Yes, sir; she has lost some time for repairs.

Question. How much has she been getting?

Answer. I think it was the first month, or two months, she got $175, and then they cut her down to $150, and that is all she has been getting per day.

Question. Upon that Captain Loper has received five per cent.?

Answer. Yes, sir.
Question. And no more?
Answer. No more.
Question. How much did you pay him on the Express?
Answer. Five per cent.
Question. Is she still in the employment of the government?
Answer. Yes, sir; she is down at Fortress Monroe.
Question. Has she been in since April, 1861?
Answer. No, sir; not so long.
Question. How much is she getting?
Answer. $175 per day. The Whilldin was the first boat, and the Express did not get in until some time, I think, in June or July.
Question. Whatever has been paid on the Express, five per cent. of it has gone to Captain Loper?
Answer., Yes, sir. I paid that to Captain Loper for collecting; I could not get it.
Question. That was the whole amount?
Answer. Yes, sir.
Question. How much did you pay him on the Star?
Answer. I paid him five per cent. on that.
Question. How much are you receiving on the Star?
Answer. $110.
Question. Is the Diamond State still in the government employment?
Answer. Yes, sir. When I first chartered her to government to go on that expedition that Captain Hodges got up in New York, (I think it was General McClellan's expedition,) she was then quite a small boat. I have since cut her up and refitted her, and sold one-third to Captain Loper, and since then he has charged no commission. He owns one-third of the Diamond State.
Question. Did Captain Loper buy her while she was chartered?
Answer. No, sir; he bought her while she was out of charter.
Question. She has been chartered since?
Answer. Yes, sir.
Question. He chartered her himself?
Answer. Yes, sir; I suppose he did.
Question. What is the Diamond State getting now?
Answer. $200 a day. She is running to North Carolina.
Question. The John Tucker—how much did you pay Captain Loper on her?
Answer. Five per cent. Her charter was through Mr. Tucker.
Question. What do you receive for her?
Answer. $300 a day, sir.
Question. On whatever you have received on the John Tucker, since she has been in the employment of the government, you paid Mr. Loper five per cent.?
Answer. Yes, sir.
Question. Is the Wilson Small still in the employment of the goverment?
Answer. Yes, sir.
Question. At how much?

Answer. At $200 a day.

Question. Does five per cent. of that go to Loper?

Answer. No, sir; he had nothing to do with that.

Question. Who did you pay the commission to?

Answer. We did not pay anything on her.

Question. How is that?

Answer. Mr. Needham, of Baltimore, transacted that business. I did not have anything to do with it.

Question. Did he not pay five per cent.?

Answer. No, sir; I think not.

Question. Are you certain of that?

Answer. I don't think he does. At least, he has not charged any that I have seen in the account; but I pay Mr. Needham; in other business he is an agent for me. I have been paying him at the rate of one thousand a year, and I suppose my part of the trouble in that is included in this thousand dollars.

Question. The Burnside?

Answer. She has no commission.

Question. Who chartered her?

Answer. Well, Mr. Loper has one-fourth of her, and I have one-fourth.

Question. When did Loper get his interest in her?

Answer. We built her together—four of us. I own one-fourth.

Question. What is the amount of her charter-party?

Answer. Three hundred dollars a day.

Question. How much are you paying for the Swan?

Answer. He does not charge anything. He owns one-third of the Swan.

Question. What are you getting per day for her?

Answer. Two hundred dollars. The Swan was chartered through Mr. Taggard. He is one of the owners.

Question. Then, of those seven vessels, there are four on which you pay the commission?

Answer. Yes, sir.

Question. I understand you to say that the receipts upon the Whilldin amount to $150 per day, the Express $175, the Star $110, and the John Tucker $300, amounting in all to $735 per day; and upon the earnings of all those vessels you pay Captain Loper five per cent.?

Answer. Yes, sir.

Question. And on the Small, for which you receive $200 a day, you pay no commission?

Answer. No commission, sir.

Question. I also understand you to say that for the Diamond State, of which you own two-thirds and Captain Loper one-third, the Burnside, of which you own one-fourth and Captain Loper one-fourth, and the Swan, of which you own one-ninth and Captain Loper one-third, you receive in the aggregate $700 a day?

Answer. Yes, sir.

Question. And upon those you pay no commission?

Answer. No, sir; I pay no commission to Captain Loper on those he has an interest in.

Question. Your receipts must be about $1,200 a day?

Answer. No, sir, not quite; about $1,100 a day.

Question. Have you ever paid Loper any more than five per cent.?

Answer. No, sir. Captain Loper knew nothing at all about the charter of the Tucker. He was in Stonington. The man I purchased her of in New York, told me the government offered him $500 a day for her. I don't know anything about that, whether it was so or not —only he said so. After I bought her, I insisted on that much a day for her; but Mr. Tucker said he would not recommend the government to pay that—that he would not recommend the government to pay over $300 a day for her. I felt that it was rather too low for a boat of her class. After the things were all fixed and settled, I mentioned then to Mr. Tucker that I was going to let Captain Loper collect her charter, as he collected ours; that it was a great deal of trouble to me, and I could not attend to it. I didn't understand it, and as he had collected the others, I would pay him to collect that. He said, "Very well." I did not say a word to Captain Loper about her charter until after he came home from Stonington. I then asked him if he would take it. Frequently along during the season, the boats were behind considerably in their payments, and I wanted money, and I went to Captain Loper, and he agreed to advance me money. He advanced me once as high as $15,000 on the charters. This paying five per cent. is all voluntary on my part. Captain Loper offered to give it up three or four months after the boats were chartered. I told him I would rather let him do it. My principal business is farming.

Question. At what time did he offer to give it up?

Answer. About three or four months after the first boats were chartered—before I owned the Tucker.

Question. At what time was that?

Answer. I should safely say, it was in the neighborhood of three months after the Express was chartered. She was not chartered until after the Whilldin.

Question. Of whom did you buy the Express?

Answer. My father and brothers first bought her of Mr. Drew, of New York.

Question. Is she a good boat?

Answer. A first-rate boat.

Question. What did she cost?

Answer. It is a very hard matter to tell. She has been overhauled, and cut in two, and lengthened, and rebuilt. I suppose you could not buy a boat of her class, and as strong as she is, under $50,000 in New York.

Question. What amount of repairs have you put on her?

Answer. In the spring, just when this rebellion broke out, I put $18,000 on her. She is comparatively a new boat. She can go up and down Chesapeake bay where any boats can go—any bay boats. I do not rank her with river boats.

MONDAY, *February* 9, 1863.

JAMES N. MULLER, sr., being duly sworn, testified as follows:

Examined by the chairman.

Question. Do you live in Baltimore?
Answer. Yes, sir.
Question. How long have you lived there?
Answer. About 52 years.
Question. What is or has been your business?
Answer. My business has been ship-building formerly.
Question. What office do you now hold?
Answer. Supervising inspector of steamboats for the third district.
Question. Do you know the steamer Louisiana?
Answer. Yes, sir.
Question. Who owns the Louisiana?
Answer. The Louisiana is owned by the Norfolk Bay-line Steamship Company.
Question. Who is the agent of the company?
Answer. I think Colonel Falls is the president.
Question. Do you know of her being employed by government?
Answer. I think she was recently chartered, sir.
Question. When was she chartered?
Answer. It strikes me it was last week.
Question. Do you know of her having been employed by the government before?
Answer. I believe she was.
Question. Do you know who chartered her?
Answer. No, sir.
Question. Where was she built, and how old is she?
Answer. She is advancing in years. She was built in Baltimore.
Question. Do you know in what year she was built?
Answer. I do not know; but I presume she is some 15 years or so of age.
Question. Do you know what was her cost at the time she was built?
Answer. No, sir.
Question. What is your estimate of her value?
Answer. She has been kept in pretty good order, and at this time is in pretty good order. She has gone through considerable repairs recently.
Question. Where?
Answer. At Baltimore.
Question. By whom?
Answer. Murray & Regan, and another firm.
Question. Are you a ship-builder?
Answer. Yes, sir.
Question. Have you a ship-yard?
Answer. No, sir. I have transferred all my interest to my son and his partner.

Question. Was the Louisiana repaired at the yard you formerly owned?

Answer. No, sir.

Question. Do you know who paid for the repairs upon her?

Answer. I presume the owners paid for the repairs.

Question. What is your estimate of her value a year ago?

Answer. I should judge that $30,000 ought to be about a fair estimate.

Question. Do you know what connexion a man named Jacob Brant had with her.

Answer. Mr. Brant is the agent of the old line—the Richmond Steam-packet Company. Whether that has been merged into an association with this other company I am not prepared to say. He is the agent of another company.

Question. Do you know who received the commissions upon the Louisiana for chartering her?

Answer. No, sir. My business is in inspecting, examining, and surveying these vessels.

Question. Do you know where the Metamora was repaired?

Answer. She was repaired in Baltimore at Mr. Fardy's ship-yard.

Question. Do you know about the repairs put upon her?

Answer. They were pretty extensive.

Question. What was done?

Answer. Well, she was calked and refastened considerably, and the joiners' work was repaired; the machinery was put in order. She came there considerably disabled.

Question. In what respect?

Answer. I think she had been run ashore, and damaged her bottom.

Question. Do you know where she was run ashore?

Answer. No, sir. Somewhere down in the neighborhood of Fort Monroe. She was engaged down in that vicinity when she came from that way to Baltimore.

Question. Was she injured otherwise than in her bottom?

Answer. Her wood-work and machinery were both injured.

Question. Her upper works?

Answer. Yes, sir.

Question. How would running ashore affect her wood-work above?

Answer. Sometimes it starts the side planks—the deck beams. The vessel gets across a bar, and the waves cause her to be twisted.

Question. How much was the Metamora worth?

Answer. She was not worth more than from $20,000 to $25,000.

Question. Do you know the barge Delaware?

Answer. Yes, sir.

Question. What was her value?

Answer. She was a large barge.

Question. What was her value a year ago, before she was repaired by the government?

Answer. I reckon she could have been bought for $1,000 to $1,200.

Question. What would be a reasonable compensation for the use of such a barge?

Answer. These barges, I think, were getting ten to twelve dollars a day.

Question. Was that a fair price, or too much?

Answer. Well, sir, if the owners had to furnish the hands and feed them, I don't think it was out of the way.

Question. Did the owners furnish the hands?

Answer. I believe they did. I think that was the way most of the charters ran, that the owners furnished the hands.

Question. Do you know the steam-tug Patapsco?

Answer. Yes, sir.

Question. Did you know her when she was bought by A. C. Hall?

Answer. I have known her for some years past.

Question. What was she worth when Mr. Hall bought her?

Answer. I reckon not more than $5,000 or $6,000.

Question. Was she worth that much?

Answer. Well, this war has created a great demand for steamboats.

Question. But what was she worth a year ago?

Answer. Four or five thousand dollars.

Question. Has this war created a demand for such a boat as the Patapsco?

Answer. For everything that is using steam, I believe.

Question. Was she in use?

Answer. She was used as a tug-boat—towing vessels into the harbor and out, and down the river. I believe she was made serviceable in that way.

Question. Do you know anything about the services she rendered?

Answer. Nothing further than I saw her moving about frequently in the harbor, towing.

Question. Do you know the steamer Telegraph?

Answer. Yes, sir.

Question. What was her value?

Answer. She was rebuilt last year.

Question. What was her value before she was rebuilt?

Answer. Before she was rebuilt I think she was sold for some two thousand dollars, or thereabouts.

Question. Was she rebuilt before going into the government employment?

Answer. Yes, sir; just about the time. She went in immediately after she was rebuilt, I think.

Question. Had she not been in government employment before that?

Answer. Very little, if any.

Question. What kind of vessel is she since she was rebuilt?

Answer. I believe she is a very good vessel.

Question. How much is she worth?

Answer. Eight or ten thousand dollars.

Question. Do you know the Baltimore?

Answer. Yes, sir.

Question. How much is she worth?

Answer. About the same as the Louisiana; perhaps there is $5,000 difference. She is a regular steamship—a sea-going vessel, adapted to go outside.

Question. What do you place her at?

Answer. $25,000. I said $30,000 for the Louisiana. I think there is about $5,000 difference.

Question. Is the Louisiana a sea-going boat?

Answer. She is not adapted to it like the Baltimore, but she has been outside down at Beaufort, and, I believe, at Port Royal; but she is a flat boat, and the other is sharp-built, especially to run on the ocean in the Havana trade. The Louisiana was built for the Chesapeake bay trade.

Question. Have you chartered any vessels at Baltimore?

Answer. No, sir. I have nothing to do with that, sir.

Question. Has anybody chartered any vessels up there except through Hall?

Answer. I am not prepared to say.

Question. Do you know of anybody chartering vessels, or is it understood that nobody can charter any, except through Mr. Hall?

Answer. I think that anybody can go, if they have vessels, and charter them to Colonel Belger, or down here. I don't think there is any kind of prohibition or restraint. Men have come to me and said, "We have a steamboat, and want to charter her." I said, "Go to Colonel Belger."

Question. Did you ever know Colonel Belger to charter one from one of those men without a commission being paid to Hall?

Question. Well, I don't know that I am prepared to say, sir. I don't think that I know of any.

Question. Is it understood in Baltimore that no one can or has been able to charter a vessel except through the agency of A. C. Hall?

Answer. Well, sir, there is an impression of that kind, but I don't know whether that is truly founded.

Question. You can only say that you do not know of any vessel that has been chartered except through the agency of A. C. Hall?

Answer. Yes, sir; that is all.

Question. You have heard complaints, I suppose, of the fact that parties have gone to Colonel Belger to charter vessels, and have been refused, except the application was made through Hall?

Answer. I heard a complaint something like that made in Colonel Belger's office. I heard him repeat that such a complaint had been made to some parties, and he asked them if they had heard anything of the kind, and they said, no.

Question. Have you not heard it outside of Colonel Belger's office very frequently?

Answer. Well, sir, there is something of that, I believe. They think there is a little kind of favor shown.

Question. Is it not the general understanding that all vessels have to be chartered through Hall?

Answer. Yes, sir. I know, also, that things are said against Major Belger that are false. I have heard men say he was drunk at such a time, when I had seen him that very day a sober man. People say these things.

Question. Do you know what commissions Hall has been in the habit of charging?

Answer. No, sir.

Question. Are you much acquainted with him?

Answer. No, sir; my relations with him are not intimate.

Question. How long has he lived there?

Answer. He has been there a long time.

Question. What was his general character before he embarked in this business?

Answer. He was president, for some years, of the Parker Vane Steamship Company, from New York, or the superintendent. He acted in that capacity for some time. I think he was injured somehow by speculation.

Question. What was his general reputation among business men in Baltimore before he engaged in this business?

Answer. Well, he was said to be a pretty shrewd man.

Question. What do you mean by "shrewd?" Was his reputation fair and above reproach?

Answer. Well, sir, I have heard some complaints against him, and others spoke very favorably of him.

Question. What was his general reputation? You can save me from putting so many questions by answering at once.

Answer. Well, sir, his reputation was not as good as it ought to be. It was not so very favorable in some respects, though, I must say, I never heard of his doing any man a wrong, or taking advantage of any man.

Question. Do you know the steam-tug Lioness?

Answer. Yes, sir—a tow-boat.

Question. What was her value a year and a half ago?

Answer. I think those boats could have been bought for from $4,000 to $5,000.

Question. What would be a fair price for the use of such a vessel per day, chartered for a month, with the privilege of continuing her?

Answer. Some of those boats were getting as high as $30 or $40 a day.

Question. Was that before the war had begun?

Answer. Yes, sir. They would agree to go down to the capes and tow vessels up, and, perhaps, be gone two or three days.

Question. Was that a fair price?

Answer. That was about what they could get.

Question. Do you remember the Cecil?

Answer. Yes, sir.

Question. What was her value?

Answer. The Cecil was sold for some $7,000 or $8,000, I think.

Question. By whom?

Answer. By Captain Rice.

Question. It was $5,000?

Answer. It may have been.

Question. What would have been a fair price for the Cecil per day at the time she was chartered?

Answer. Well, the boats of her class were getting from $70 to $80 a day from the government.

Question. That is not the question. I asked you what would be a

fair price per day for such a vessel chartered by the month, with the option to the government of continuing her in the public service.

Answer. I suppose you know what Captain Rice got. He complained very much to me about it, and said the government screwed him down very close—I think it was something like $75 or $80; that he could not make any money by it; that his vessel was being damaged very much, and that it would not pay him, taking into account the expenses.

Question. When did he tell you this?

Answer. He told me so whilst she was in the service, I suppose a year ago—sometime in the early part of last year. I fell in with him down at Fort Monroe, and she was lying about down there at the time.

Correspondence of the committee not elsewhere printed.

SELECT COMMITTEE ROOM,
United States Senate, Washington, January 20, 1863.

DEAR SIR: I am directed by the select committee of the Senate appointed in pursuance of the resolutions of December 22 and 23, 1862, to request you to furnish for their use a list of all vessels chartered or employed by, through, or, under you, stating their tonnage, the time when chartered and when discharged, of whom and through whom chartered, at what rate per day, month, or otherwise, specifically designating what vessels chartered by you, or through you, are now in the government employ, and that you will bring such statement down to the present time, and lay it before the committee in person.

Very respectfully, your obedient servant,

JAMES W. GRIMES,
Chairman Select Committee.

Colonel JAMES BELGER,
Quartermaster's Department,
Baltimore, Maryland.

SELECT COMMITTEE ROOM,
United States Senate, Washington, January 29, 1863.

DEAR SIR: I am directed by the select committee of the Senate appointed in pursuance of the resolutions of December 22 and 23, 1862, to request you to furnish them a copy of the letter which you addressed to General M. C. Meigs in reply to a communication from him on the subject of the monopoly enjoyed by Amasa C. Hall in the chartering of transports in your department.

Very respectfully, your obedient servant,

J. W. GRIMES,
Chairman.

Colonel JAMES BELGER,
Quartermaster, Baltimore, Maryland.

SELECT COMMITTEE ROOM,
United States Senate, Washington, February 3, 1863.

DEAR SIR: Referring to your report to the Secretary of War, dated January 27, 1863, of vessels repaired at Baltimore under your direction, the select committee of the Senate appointed in pursuance of the resolutions of December 22 and 23, 1862, direct me to inquire of you whether any of the vessels so repaired were paid for the whole or any portion of the time they were undergoing repairs, on their charter-parties; and if so, what vessels were so paid.

Very respectfully, your obedient servant,

J. W. GRIMES,
Chairman.

Colonel JAMES BELGER,
Quartermaster, Baltimore, Maryland

SELECT COMMITTEE ROOM,
United States Senate, Washington, February 4, 1863.

DEAR SIR: I am directed by the select committee of the Senate appointed in pursuance of the resolutions of December 22 and 23, 1862, to inquire whether any vessels repaired at Baltimore, Maryland, under direction of Colonel James Belger, quartermaster, and whose repairs were paid for by Colonel Belger, were also paid in their charter-parties for the whole or any portion of the time they were undergoing such repairs. I am directed to inquire in particular whether the steamers Baltimore, Cossack, Eagle, Edwin Forrest, and Star, the bark Voltiguer and the barge Delaware, were so paid while undergoing repairs.

I am, very respectfully, your obedient servant,

JAMES W. GRIMES,
Chairman.

General M. C. MEIGS,
Quartermaster General, United States Army.

WASHINGTON, *December* 23, 1862.

SIR: By a resolution of the Senate adopted this morning, the scope of inquiry to be pursued by the select committee appointed yesterday to investigate the subject of chartering of transports for the Banks expedition was greatly enlarged. It becomes now important for us to know the number and names of *all* vessels that have been chartered or employed by the War Department, or by any army officer, when chartered and employed, by whom owned or controlled, for what purpose and for what period of time, by what agent or officer of the government, for what price, and what *per centum* was paid to or received by such agent or officer, or by their associates, whether from the government or from the owners or agents of such transports.

The committee will be pleased to receive this information at the earliest hour practicable.

Your obedient servant,

JAMES W. GRIMES,
Chairman.

Hon. E. M. STANTON, *Secretary of War.*

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37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 85.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 10, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Pensions, submitted the following

REPORT.

The Committee on Pensions, to whom was referred the petition of Rebecca A. Correll, widow of Isaac Correll, with the accompanying papers, beg leave to report:

That the petition is dated at Washington, D. C., December 21, 1858, and is signed Rebecca A. Correll, by Bowen & Herrick, her attorneys; that the said petition was presented to the Senate January 4, 1859, and there was a report in her favor, February 20, 1860, and a bill granting her relief passed the Senate April 6, 1860, which was sent to the House of Representatives. It was again referred to this committee near the close of the last session. It now appears, from additional evidence, that the petitioner, Rebecca A. Correll, died on or about the 3d day of August, 1854, more than four years before the date of the petition. It furthers appears, from the evidence before the committee, that the only surviving children of the deceased Isaac and Rebecca Correll are Netty B. Correll, born April 13, 1843, and Amos K. Correll, born April 27, 1845. As the youngest of these children is more than sixteen years of age, they would not be entitled to a pension, even if their father had died of disease contracted in the service of the United States, and in the line of his duty. It further appears, from the papers before the committee, that when the case was originally before the Commissioner of Pensions, it was rejected by him on the ground that the deceased was not entitled to a pension—the disease of which he died not having been contracted in the line of his duty.

Under the very peculiar circumstances of this case, as above set forth, the committee ask to be discharged from its further consideration.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 86.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 10, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Pensions, submitted the following

REPORT.

[To accompany bill S. No 514.]

The Committee on Pensions, to whom was referred the petition of Elizabeth M. Baxter, widow of Lieutenant Robert Baxter, beg leave to report:

That it appears that said Robert Baxter received a commission from the governor of the State of Minnesota for the office of second lieutenant in the tenth regiment of Minnesota volunteers on the 14th day of August, 1862; that on the 22d day of August, 1862, he marched to the frontier to repel the attacks of the Sioux Indians, and on the 2d day of September following was killed instantly in battle with the Indians.

Owing to the necessity of moving at once he had not been mustered into the service of the United States, which is the only thing which prevents the petitioner from being entitled to relief under the general law.

The committee are of opinion that the petitioner is entitled to the relief prayed for, and report the accompanying bill, and recommend that it do pass.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 87.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 13, 1863.—Ordered to be printed.

Mr. WADE, from the Committee on Territories, submitted the following

REPORT.

The Committee on Territories, to whom was referred the resolution of th Senate of the 16th of January, in regard to the suppression of the publication of the message of the governor of the Territory of Utah, have had the same under consideration and beg leave to report:

On the 16th of January the Senate of the United States adopted the following resolution:

Resolved, That the Committee on Territories be instructed to inquire and report whether the publication of the message of the governor of the Territory of Utah to the territorial legislature has been suppressed, and if so, by what causes, and what was the message.

In pursuance of the instruction contained in this resolution, your committee have the honor to report that they have collected all the facts, and taken all the testimony within their reach, the substance of which, together with a copy of the message, is herewith presented.

These sources of information disclose the fact that the customs which have prevailed in all our other Territories in the government of public affairs have had but little toleration in the Territory of Utah; but in their stead there appears to be, overriding all other influences, a sort of Jewish theocracy, graduated to the condition of that Territory.

This theocracy, having a supreme head who governs and guides every affair of importance in the church, and practically in the Territory, is the only real power acknowledged here, and to the extension of whose interests every person in the Territory must directly or indirectly conduce.

Contrary to the usages of the whole country, the affairs of this Territory are managed through church instrumentalities, and no measure is permitted to succeed in the Territory which will, for one moment, conflict with the interests of the church ; in other words, we have here the first exhibition within the limits of the United States of a church ruling the State.

Information of the most reliable character convinces your committee that it is not only not popular to express any views antagonistic to either the laws or practices of the church in this Territory, but that such expression very soon places the maker of it in the embarrassing position of being considered a heretic, with a strong probability of being treated accordingly.

It is one of the commonly received and commonly taught dogmas of the Mormon church that every one who does not belong to that church is a gentile, and all gentiles are enemies, and of course, under church rule, should be treated as such.

Another opinion—the subject of both public and private teaching—is that the government of the United States will not and ought not to stand. They make a difference between the Constitution and the government of the United States; to the Constitution they claim to be very loyal, but to the government they owe no particular allegiance.

Although claiming to have population enough to entitle them to be admitted as a State into the Union, they have but one paper published in the Territory, thus plainly showing an inexplicable desire to know nothing of what is going on in the world, or else a desire to avoid free discussion. It is the first instance in the history of our country in which so large a population has been satisfied with one paper.

This paper is the organ of the church, for, in the opinion of the leaders in that church, it is necessary that the church should have a mouth-piece, even if there should be no free discussion; and to suppose that anything will be published in this church organ reflecting in the most remote degree on any custom or law of the place is nonsense. Because the governor, in his message, has animadverted upon some of the customs of the Mormons, and has recommended that steps be taken to Americanize the same, he has given offence, and has had his message suppressed.

Polygamy of the most unlimited character, sanctioning the cohabitation of a man with the mother and her daughters indiscriminately, is not the only un-American thing among them.

Their system of voting, to which the governor has called attention in his message, is directly subversive of that freedom which ought to be the pride of every citizen of the United States when he casts his vote. Why is it that in this Territory alone a man cannot deposit his ballot without first having his ballot numbered and his name written on it?

This custom is unknown to any other Territory in the United States, and is almost as un-American as poligamy itself.

If the minds who control the movements of the "Latter Day Saints," as the Mormons call themselves, wish to have everything their own way; if they wish to keep down discussion, and to make men vote just as they please; if they wish to make all men Mormons and force them to remain as such, or else leave the Territory they need not alter one custom or law among them to realize these wishes.

The governor, in part of his message, calls the attention of the

legislature to the fact that there is not one statute on their statute books protecting or regulating the marriage relation. There must be so little value attached to that bond of civilization that it is not considered worth a statutory enactment, or else the people in that Territory have so far departed from the usual short-comings of human nature, that they need no protection to that condition of life.

If the men in this Territory wish to keep the women there from having any legal redress at the hands of their so-called husbands, they can do so just as long as they have no statutes directing and protecting the interests growing out of the marriage relation. In other Territories the responsibilities of marriage are well defined; why are they not so in this?

The message, on examination, is found to contain nothing that should give offence to any legislature willing to be governed by the laws of morality.

It is the opinion of your committee that the message is an able exposition of the manners and customs of the people in that Territory, and, as such, brought down the censure of the leaders of the Mormon church, and, were it not for the animadversions therein contained, it would not have been suppressed.

Your committee can see no reason why it should not be distributed among the people there, and they recommend the adoption of the following resolution:

Resolved, That one thousand copies of the message of the governor of Utah to the territorial legislature be printed and sent to the governor for distribution.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 88.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 13, 1863.—Ordered to be printed.

Mr. DOOLITTLE made the following

REPORT.

[To accompany bill S. No. 498.]

The Committee on Foreign Relations having been instructed by the Senate to inquire what further legislation, if any, is required to carr into effect the fourth article of the treaty with Great Britain, of August 9, 1842, submit the following report:

The fourth article of the treaty of Washington, concluded between Great Britain and the United States on the 9th of August, 1842, is in the following words:

"All grants of lands heretofore made by either party within the limits of the territory which by this treaty falls within the dominions of the other party, shall be held valid, ratified, and confirmed to the persons in possession under such grants, to the same extent as if such territory had by this treaty fallen within the dominions of the party by whom such grants were made; and all equitable possessory claims arising from a possession and improvement of any lot or parcel of land by the person actually in possession, or by those under whom such person claims, for more than six years before the date of this treaty, shall in like manner be deemed valid, and be confirmed and quieted by a release to the person entitled thereto of the title to such lot or parcel of land so described as best to include the improvements made thereon; and in all other respects the two contracting parties agree to deal upon the most liberal principles of equity with the settlers actually dwelling upon the territory falling to them, respectively, which has heretofore been in dispute between them."

So far as the United States are concerned, the foregoing article is an agreement on their part to respect the possessions of all persons found at the date of the treaty upon that part of the before disputed territory which fell to Maine by the new line of boundary. The extent to which such possessions are to be respected is accurately defined.

All persons in possession under grants are to have their grants fully confirmed according to their terms.

All persons holding by mere possession, if their possession dates six years or more prior to the treaty, are to hold their lands run out by metes and bounds so as to cover their improvements, and they are

to be "confirmed and quieted by a release to the person entitled thereto of the title to such lot or parcel of land."

All persons holding by mere possession, if their possession did not commence six years prior to the treaty, are entitled to the benefit of the following stipulation: "And in all other respects the two contracting parties agree to deal upon the most liberal principles of equity with the settlers actually dwelling upon the territory falling to them, respectively, which has heretofore been in dispute between them."

It appears that in 1843 the States of Maine and Massachusetts instituted a joint commission to examine the claims of persons entitled to be confirmed in their grants and possessions, and authorized deeds of release to be made to the persons found to be thus entitled. The ownership of nearly all the lands in the before disputed territory was then jointly in those two States. The operations of the commission instituted in 1843 were principally confined to the settlements of the Madawaska French, which were ancient and well known. It soon became apparent, however, that a large number of cases of claims entitled to be quieted existed, and which had escaped attention by being scattered over a great territory little accessible by roads, and of which not much was known in Maine until some years after the possession of it was recovered by the treaty. Accordingly, in 1854, Maine, having become in the meantime the owner of all the lands by a purchase of the half belonging to Massachusetts. instituted a new commission to ascertain and report all the cases of possessory rights which had escaped the attention of the commission instituted in 1843.

The first commission reported as entitled to be confirmed 53,822 acres, and this was done by deeds from Maine and Massachusetts, who were the owners of the land. Of this land, 52,300 acres were the joint property of Massachusetts and Maine, and 1,521 acres were the separate property of Maine.

The second commission reported as entitled to be confirmed 63,454 acres of land belonging to the State of Maine. and 8,107 acres belonging to private proprietors in the Eaton grant and in the Plymouth township.

By an act of the present Congress, passed at the first session, the persons in possession of these 8,107 acres of land in the Eaton grant and in the Plymouth township have been quieted. This act made an appropriation, at the rate of four dollars per acre, to induce the private proprietors to execute the "releases to the persons entitled thereto," which the United States are under treaty obligations to procure.

As to the 63,454 acres of the lands of Maine, now in the occupancy of persons entitled to be quieted in their possessions, Maine has indicated her willingness to quiet them by the necessary releases of title, upon receiving from the United States an adequate compensation for these lands, and for the lands conveyed under the report of the commission instituted in 1843.

And the call is now made upon the United States to execute the fourth article of the treaty of Washington, by making such an appro-

priation of money in payment for the lands of Massachusetts and Maine falling within the purview of the article as will compensate their fair value, and thus justify Maine in executing the releases of title which are stipulated by the treaty.

The duties of the United States under the fourth article of the treaty of Washington have been acknowedged not only by the passage of the law to quiet titles in the Eaton grant and in the Plymouth township, but by the payment to Maine and Massachusetts of the expenses of the commissions before referred to, as instituted in 1843 and 1854.

The suggestion may, perhaps, be made, that Maine and Massachusetts have already been paid for the lands taken from them by the fourth article, but this suggestion will not bear examination.

By the new line of boundary fixed by the treaty Maine lost 5,012 square miles, or 3,207,680 acres, of the jurisdiction and soil of territory to which her title had been declared indisputable by the federal government. The consideration received by Maine and Massachusetts for the soil, nothing being allowed for the jurisdiction surrendered, was three hundred thousand dollars. And it abundantly appears that this payment was proposed for their assent to the new line of boundary and the consequent loss of territory north of the river St. John, and not as the price of lands which they might lose under the fourth article. This payment was proposed by Mr. Webster as the consideration of their assent to the treaty, when it did not contain the provision now contained in the fourth article.

In a letter to the commissioners of those States, of July 15, 1842, Mr. Webster says:

"Under the influence of these considerations, I am authorized to say that if the commissioners of the two States *assent to the line as described in the accompanying paper*, the United States will undertake to pay to these States the sum of $250,000, to be divided between them in equal moieties; and, also, to undertake for the settlement and payment of the expenses incurred by these States for the maintenance of the civil posse, and also for a survey which it was found necessary to make. The *line* as suggested, with the *compensations* and *equivalents*, which have been stated, is now submitted for your consideration."

The pecuniary equivalents proposed were for the assent of Maine and Massachusetts to a new line of boundary. The "accompanying paper" referred to by Mr. Webster did not contain the provision set out in the fourth article. That was added as one of the conditions of the assent of Maine.

In the acceptance (July 20, 1842) of Mr. Webster's proposition by the commissioners of Massachusetts the following language is used:

"The State of Massachusetts, through her commissioners, hereby relinquishes to the United States her interest in the lands *which will be excluded from the dominion of the United States by the establishment of the boundary aforesaid*."

The treaty itself, in the fifth article, defines with precision for what the sum of $300,000 was paid to Maine and Massachusetts, in the following language:

"The government of the United States agreeing with the States of Maine and Massachusetts to pay them the further sum of $300,000, in equal moieties, *on account of their assent to the line of boundary* described in this treaty, and *in consideration of the conditions and equivalents received therefor from the government of her Britanic Majesty.*"

The treaty of Washington, so far as boundaries were concerned, was, in fact, an exchange of territory in Maine for territory added to New Hampshire, Vermont, and New York, and for territory acquired by the United States in the northwest, while the $300,000 paid to Maine and Massachusetts was the assumed value of these territorial advantages obtained elsewhere at the expense of Maine. This is so expressly stated in the treaty itself, but will be illustrated by some reference to the correspondence which preceded it.

In his note of June 21, 1842, to Mr. Webster, Lord Ashburton says:

"It may be well at the same time to state my views respecting the adjoining boundary of the States of New Hampshire, Vermont, and New York, because they made part of the reference to the King of Netherlands, and were, indeed, the only part of the subject in dispute upon which a distinct decision was given.

"The question here at issue between the two countries was as to the correct determination of the parallel of latitude, and the true source of the Connecticut river. Upon both these points decisions were pronounced in favor of Great Britain. * * I am nevertheless disposed to surrender the whole of this case, *if we should succeed in settling, as proposed, the boundary of Maine.*"

In their note, of June 29, 1842, to Mr. Webster, the Maine commissioners say:

"It appears, by his (Lord Ashburton's) communication to you, that his lordship proposes to yield the disputed territory claimed by New Hampshire at the sources of the Connecticut river; the strip of disputed territory, embracing Rouse's Point, on Lake Champlain, north of the same parallel, in the possession of the State of New York, notwithstanding they have been decided by the arbiter to belong of right to Great Britain.

"Now, the undersigned are fully aware of the importance of having all those difficulties in regard to boundaries amicably adjusted, and that it is highly desirable to have them so adjusted, and to the particular States interested to be confirmed and quieted in their respective limits and possessions. But it cannot have escaped your attention that all this is proposed to be done partly at the expense of Massachusetts, but principally at the expense of Maine."

In his note of July 8, 1842, to Lord Ashburton, Mr. Webster says:

"Your lordship intimates that, as a part of the general arrangement of boundaries, England would be willing to surrender to the United Statas Rouse's Point, and all the territory heretofore supposed to be within the boundaries of New Hampshire, Vermont, and New York, but which a correct ascertainment of the forty-fifth parallel of north latitude shows to be included within the British line. This concession is, no doubt, of some value. If made, its benefits would inure partly to those three States and partly to the United States, and none of it to the particular interests of Maine and Massachusetts. If regarded, therefore, as a part of the equivalent for the manner of adjusting the northeastern boundary, the two last States would perhaps expect that the value, if it could be ascertained, should be paid to them."

In his letter of July 15, 1842, to the Maine commissioners, Mr. Webster, after reciting the cessions offered by Great Britain to New Hampshire, Vermont, and New York, says:

"It is probable, also, that the disputed line of boundary in Lake Superior might be so adjusted as to leave a disputed island within the United States.

"These cessions on the part of England would inure partly to the benefit of the States of New Hampshire, Vermont, and New York, but principally to the United States. The consideration on the part of England, for making them, would be the manner agreed upon for adjusting the eastern boundary. *The price of the cession, therefore, whatever it might be, would in fairness belong to the two States interested in the manner of that adjustment.*"

In his message of August 11, 1842, communicating the treaty of Washington to the Senate of the United States, President Tyler says:

"Connected with the settlement of the line of the northeastern boundary, so far as it respects the States of Maine and Massachusetts, is the continuation of that line along the highlands to the northwesternmost head of Connecticut river. Which of the sources of that stream is entitled to that character has been matter of controversy and of some interest to the State of New Hampshire. The King of the Netherlands decided the main branch to be the northwesternmost head of the Connecticut. This did not satisfy the claim of New Hampshire. The line agreed to in the present treaty follows the highlands to the head of Hall's stream, and thence down that river, embracing the whole claim of New Hampshire, and establishing her title to 100,000 acres of territory more than she would have had by the decision of the King of the Netherlands.

"By the treaty of 1783, the line is to proceed down the Connecticut river to the 45th degree of north latitude, and thence west by that parallel till it strikes the St. Lawrence. Recent examinations having ascertained that the line heretofore received as the true line of latitude between those points was erroneous, and that the correction of this error would not only leave on the British side a considerable tract of territory heretofore supposed to belong to the States of Vermont and New York, but also Rouse's Point, the site of a military work of the United States, it has been regarded as an object of importance, not only to establish the right and jurisdiction of those States up to the line to which they have been considered to extend, but also to comprehend Rouse's Point within the territory of the United States. The relinquishment by the British government of all the territory south of the line heretofore considered to be the true line has been obtained, *and the consideration of this relinquishment is to inure, by the provisions of the treaty, to the State of Maine and Massachusetts.*"

President Tyler notices also the acquisition by this treaty of "Sugar island, or St. George's island, lying in St. Mary's river, on the water communication between Lakes Huron and Superior," and observes, in respect to this island, that "both from soil and position it is regarded as of much value."

He notices, also, that from Lake Superior to the Lake of the Woods the British commission under the treaty of Ghent had "insisted on proceeding to Fond du Lac, at the southwest angle of the lake, and thence, by the river St. Louis, to the Rainy lake," whereas, by the treaty of Washington, the line starts from Lake Superior, at the mouth of Pigeon river. Upon the additional territory thereby confirmed to the United States President Tyler observes:

"The region of country on and near the shore of the lake, between Pigeon river, on the north, and Fond du Lac and the river St. Louis, on the south and

west, considered valuable as a mineral region, is thus included in the United States. It embraces a territory of four millions of acres northward of the claim set up by the British commission under the treaty of Ghent."

It thus abundantly appears that the $300,000 stipulated by the fifth article of the treaty to be paid to Maine and Massachusetts had no reference to the lands lost by them under the fourth article, but was solely for their assent to a new line of boundary, and their consequent loss of territory north of the St. John's river. And it also appears that this sum was not paid to them either as a gratuity or even as an indemnity for their loss of territory, but as the assumed value of the cession obtained for it elsewhere by the United States of territory, undoubtedly British, on the north of New Hampshire, Vermont, and New York, and of the settlement in favor of the United States of disputed points in respect to a valuable island in the St. Mary's river, and to the boundary line west of Lake Superior. The liberality and patriotism of Maine and Massachusetts in yielding so much for the national good, for a compensation so inadequate, well deserved the following acknowledgment in the message of President Tyler of August 11, 1842:

"Ordinarily, it would be no easy task to reconcile and bring together such a variety of interests in a matter in itself difficult and perplexing; but the efforts of the government in attempting to accomplish this desirable object have been seconded and sustained by *a spirit of accommodation and conciliation on the part of the States interested, to which much of the success of these efforts is to be ascribed.*"

Upon the whole case, the committee believe that the United States are under obligations to quiet the settlers upon the public lands of Massachusetts and Maine, under the fourth article of the treaty of Washington, by procuring for them releases of the titles to their lots, and that for this purpose an appropriation should be made equal to the fair value of these lots.

In 1852 the Committee on the Judiciary of the Senate reported that this fair value would be one dollar and fifty cents per acre.—(Senate Reports, No. 361, 32d Congress, 2d session.)

An agent of the United States, who visited the Eaton grant and Plymouth township, under authority of a resolution adopted by the Senate on the 18th of July, 1856, reported as his own opinion, which is confirmed by the evidences accompanying his report, that the value, in a state of nature, of the lots taken by settlers in those tracts, was two dollars per acre.

It is not probable that the value of the lots taken by settlers in those tracts exceeds the average value of the lots taken by them upon the lands of Maine and Massachusetts. They are all selected and choice lots, in a region of great fertility.

The committee, however, have reason to suppose that under the difficulties of the times an appropriation at the rate of one dollar and twenty-five cents per acre, the minimum price of the lands of the United States, will be sufficient to obtain the releases of title which the United States are bound to procure.

The committee have also considered it expedient to require as a

condition that Maine shall assume to quiet any further rights of settlers under the fourth article of the treaty of Washington which may hereafter be discovered to exist.

It appears from the testimony taken by the agent of the United States, appointed under the Senate resolution of July 18, 1856, that the prosperity of the late disputed territory in Maine has been considerably retarded by the delays, already long, which have occurred in quieting the titles of settlers. This agent says, in his report, that "the value of the improvements has not materially increased since the making of the treaty, and the reason assigned for the absence of improvements is *the uncertain tenure by which they hold their lands.*"

The treaty of Washington having been concluded in 1842, and the final ascertainment of possessory rights under the fourth article having been made in 1854, the committee believe that the duty of the United States in the premises should be discharged without further delay; and therefore report the accompanying bill.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 89.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 14, 1863.—Ordered to be printed.

Mr. WILSON, from the Committee on Military Affairs and the Militia, submitted the following

REPORT.

The Committee on Military Affairs and the Militia, to whom was referred the petition of Dr. William T. G. Morton, asking compensation for the discovery and gift to his country and mankind of the application of ethereal vapor as a safe and practical anæsthesia, or pain-subduing agent, have had the same under consideration, and report:

That at the time of the alleged discovery, in 1846, and for a long and indefinite period prior thereto, means had been sought, and sometimes with success, to relieve and even to destroy pain in surgical operations. For this purpose opium, Indian hemp, mesmerism, and nitrous oxide gas and alcohol were used, and all in their turn abandoned, except that opium in many cases, and mesmerism in a few, still continued to be used with partial and imperfect success. But at that time there was not any safe and certain means of producing *anæsthesia* known to and used by the medical profession.

That in the years 1844, 1845, and 1846, the petitioner was extensively engaged in the practice of dentistry in the city of Boston; that he was at the same time a student in the medical college of that city, and attendant on the clinical lectures in the general hospital, and obtained his degree at the Washington University, Maryland. In his private practice and at the hospital he witnessed much human suffering, and in the clinical lectures the means of relieving it were considered and discussed, and Doctor Morton assisted in testing the efficacy of such as were tried in the medical class of which he was a member. Thus the status of science on that subject became well known to him—as well what it had accomplished as what it lacked. Everything, indeed, had been abandoned by the learned professors and surgeons in that hospital, except the use of opium in a few specific cases. It was deemed probable that there was something in nature which would produce certain, safe, and perfect anæsthesia, but it was also certain that it had not yet been discovered. The petitioner was thus led to investigation and experiment. The effect of ether when applied to the part, in relieving the pain of an aching tooth to which

he applied it in 1844, with a knowledge of the use of its vapor in college experiments, suggested the idea to him that the vapor of ether might furnish the much-desired and long-sought preventive of pain. Accordingly, during the summer of 1844 he tried experiments on animals, and continued the investigation until he succeeded, in rendering himself entirely unconscious by an experiment on himself in 1846, and became satisfied that it might be used with safety. He endeavored to prevail on his students to submit to the experiments, but they having heard accounts of its occasional fatal effects in college experiments, refused to inhale it to the extent he desired. Chance at length threw in his way the means of *trying* and standing by and *witnessing* its effect on a human being, who was undisturbed by any preconceived opinions, whether hopes or fears.

On the 30th of September, 1846, a strong, robust man came into his office and asked to have a tooth extracted, and as he was unwilling to suffer pain, desired to be mesmerized. He was told that there was a better preventive, and he consented to have it applied. Doctor Morton administered the vapor of sulphuric ether, and the tooth was extracted without any expression, and, as the patient declared, without any sensation, of pain, and without any injurious consequence. Doctor Morton made numerous other successful experiments, which satisfied him of its safety and efficacy. It was almost immediately introduced into the medical hospital at Doctor Morton's request, where, with a short interruption within the first month, it has been since constantly used with entire success. Having verified his discovery, he applied for and obtained a patent under the great seal of the United States. This was determined on as the best means of publicly verifying his right to the discovery, and of keeping this new and mysterious agent out of unskilful hands; but in order to extend its benefits to the utmost limits of safety, he at once gave free permission of its use to all public institutions which Doctor Warren, senior surgeon of the medical hospital of Boston, saw fit to name. He also invited all reliable members of the medical faculty to receive instructions and join in testing its value. All of those who now contest his right knew of his intended application before it was made, and, so knowing, approved it. The specification, which the granting words of the patent cover, declares a preference for "the vapor of sulphuric ether to those of muriatic or other kinds of ether," but adds that "any such may be employed which will properly produce the state of insensibility, without any injurious consequences to the patient." This, of course, includes chloric ether, or chloric ether concentrated into chloroform. The sulphuric ether was preferred, because it is equally efficient and much more safe than chloric ether or chloroform.

This patent, in the opinion of your committee, ought to put forever at rest, between the United States and the petitioner, and between all who knew and approved of the application for the patent and the petitioner, all question as to the right of discovery of the thing patented. But, independently of this, there is ample evidence in the papers accompanying this report that the petitioner was the first and original

discoverer of the vapor of ether as a safe and practical anæsthetic agent.

It is further shown, by evidence satisfactory to your committee, that the discovery was a source and cause not of profit or emolument to Dr. Morton, but of labor, anxiety, and heavy and ruinous expense and loss. The anæsthetic agent was assailed. It was represented as ruinous to the human constitution, and often fatal to life. The public were warned against its use, and Dr. Morton devoted years of his life, his patrimony, all the earnings of his past life, and all his credit, to put down and disabuse the public of the falsehood thus industriously circulated to its prejudice. He and a few generous friends who came to his aid alone strove with the tide which set so strongly against the discovery. Neither of those who now contest his right lifted a finger to aid, until he finally prevailed, but assailed it. The vapor of ether as an anæsthetic agent was acknowledged, and received and used throughout the civilized world. It was used in all the hospitals of the United States, and by all the surgeons in the army and navy of the United States. Thus the Executive of the United States seized and used this discovery without license or reward, and regardless of its own patent—an example which the multitude readily followed, though the patent had kept the discovery out of the hands of quacks until it had been fully and fairly tested. But this brought no relief to the discoverer; and every quack and pretender, wheresoever they practiced, following the example of the United States authorities, used the pain-destroying agent, without regard to the rights of the patentee. Dr. Morton then determined to apply to his country for compensation and redress.

From 1849 to 1854, inclusive, two reports were made by committees of the House, affirming the right of Dr. Morton, and recommending compensation. They are elaborate and carefully considered reports, founded upon a great mass of testimony, taken as well by Dr. Morton to support his claim as by the several contestants to destroy it; and after carefully considering and weighing the testimony and the acts of the several parties at the time of the discovery, and immediately subsequent thereto, they reported in favor of his claim, and recommended compensation; and they reported bills, which were buried and lost in the mass of unfinished business.

Two committees of the Senate—the Committees on Military and Naval Affairs—concurred in the reports of the committee of the House. A bill granting relief generally to the discoverer passed the Senate in 1853, and again in 1854. One of these shared the fate of the House bills—buried like them in the mass of unfinished business. The other was rejected in the confusion of a midnight session.

Worn out, and hopeless of the action of Congress, Dr. Morton memorialized the President of the United States, praying him to give compensation for the use of the *anæsthesia*, the *patented article*, or to cease to use it in the army and navy. The President received the application, and was about to order a just and liberal compensation, when the Secretary of War, Jefferson Davis, induced him to require, as a prerequisite, a suit in one of the federal courts, and a judgment

then against an army or navy surgeon for using it. Dr. Morton brought suit, recovered judgment against a surgeon of a marine hospital, and in due time, but after a change of administration, produced the record of the judgment, presented it to Howell Cobb, then head of the Treasury Department, to which the hospital belonged, who hesitated for a time, and at last refused, to carry out the order of the President. So the Executive refused compensation, and continued to use the discovery, as theretofore. This memorial to the President was backed by the signatures of a majority of the members of each house of Congress. In the mean time the patent was drawing to a close, and Dr. Morton determined to apply for an extension, under the hope that Congress or the Executive would yet be induced to recognize and respect his rights under it at some time within and during the extended term; but the extension was denied him because of some technical formality with which he could not comply. Your committee, however, consider his claim as valid against the United States, in equity and good conscience, as it would have been if no such difficulty had been interposed, and the patent had been extended according to usual practice of the office in ordinary cases.

Congress having done nothing, the right of Dr. Morton to the discovery was examined, and, after most careful investigation, vouched by the medical and surgical faculties of Boston, New York, and Philadelphia, the *elite* of the profession joined in attestation of the great merits of the discovery; and they express an unqualified judgment that Dr. Morton is entitled to the credit of the discovery, and of perfecting and giving it to the world. And as evidence that this is not mere words of compliment, they vouched their opinion by a generous effort to procure subscriptions to relieve the embarrassment in which Dr. Morton was involved by his devoted self-sacrifice.

The examination of this question, and the consequent judgment and subscription, originated with the medical faculty of Boston; and as they had all the means derived from a knowledge of parties, of witnesses, and the acts of parties during the doubtful period of the discovery, when no man could tell whether it was or was not of value, their decision may be properly considered as the verdict of a highly intelligent jury of the vicinage, and as such, your committee give it great weight. And its value is enhanced by the fact that the faculties of New York and Philadelphia, on a re-examination of the question, concurred in this judgment. The Institute of France awarded to Dr. Morton their largest gold medal. All this would seem conclusive, even if it were not, as your committee think it is, fully sustained by independent proof.

But the subscriptions procured by medical and surgical faculties, liberal though they were, fall far short of a sum sufficient to indemnify Dr. Morton for his expenditures of time and money in pursuit of the discovery, and in giving it to the public under conditions which would command public confidence. Nor is it just that this single profession should take upon itself, by its extraordinary efforts, the burden of rewarding and sustaining a discovery by which the nation has been, and is now especially, so largely benefited. Who shall estimate its value to

the army and navy of the United States? For what sum would the government now consent for a single year, or even after a single battle, to forego its use? It is in proof before us that Dr. Morton himself administered his *nepenthe* to more than a hundred wounded soldiers fresh from the battle-field of Fredericksburg, and with three minutes to the man, and without a single failure, prepared them all for a painless operation with the probe and the knife. His *nepenthe* is used in all operations in the army and navy, and we are safe in saying that no sum which could be named would induce the United States to forego its use.

It was used for fourteen years, as far back as the Mexican war, and down to the expiration of the patent. To his legal right to indemnity and compesation for *this*, no one who regards the mandates and prohibitions of the Constitution can doubt. The legal liability of the United States for this has been judicially determined in the suit above referred to. This is independent of all consideration of merit in the discovery. It is a legal right; it is property; and it is all the property the petitioner has left to him. It has been taken by the United States, and it has been applied to public use. It is debt due Dr. Morton, and long withheld. He is, also, in the opinion of your committee, entitled equally to compensation for its use to the present time, and, hereafter, down to the expiration of an extended patent, according to ordinary law and the usage of the department; and he is entitled, not in strict law or, perhaps, in legal equity, but in sound political morality, to liberal consideration for the priceless service which he has rendered to his country and its people in every condition of life. We are satisfied that Dr. Morton is the discoverer. We think him entitled to liberal compensation and reward, in accordance with the usages of this and other governments in such cases.

The only question as to this claim is the amount. A bill twice passed the Senate appropriating a hundred thousand dollars to the discoverer. Former committees and heads of departments, at a time when there was not a tithe of the evidence that the use of the discovery by the United States now furnishes of its value to the government, reported in favor of and recommended appropriating one hundred thousand dollars to enable the President of the United States to procure the surrender of Dr. Morton's patent.

The medical faculty say "its value is such that, if it were only to be purchased with large sums of money, millions of dollars would readily and properly be paid by persons who are subjects of the pain the discovery is competent to avert or relieve;" and "that Dr. Morton ought to have a monument of gold as high as Trinity Church steeple." Though it may be utterly impossible to determine the proper bounds within which merit is to be rewarded in a case like the present, in which an humble individual is the donor and the whole nation the recipient, we can appropriate a sum of money which will reimburse and indemnify him for expenses and sacrifices in bestowing this boon, and place his future life beyond the reach of poverty, and in this manner do justice to ourselves.

An account stated, supported by satisfactory evidence, shows that

Dr. Morton has expended in money, and time, and sacrifice of professional business, more than two hundred thousand dollars in discovering, defending the discovery and his rights thereto, and perfecting and giving the nation this pain-destroying agent.

Your committee are of the opinion that some compensation is due, but they report these facts for the information of the Senate, without any recommendation.

Your committee herewith report, as an appendix, a narrative of the discovery, and Dr. Morton's connexion with it.—(Appendix A.)

An analysis of the testimony of contestants for the honor of the discovery.—(Appendix B.)

Extracts from the reasoned report of the committee of the House of Representatives of 1849; and extracts, with notes appended, from the agreed report of 1852, signed by a majority of the members, and certified by the then clerk of the House of Representatives, but not presented for the want of opportunity.—(Appendix C.)

Also extracts from a large mass of evidence on which all the reports are mainly founded; the acts and proceedings of the medical and surgical associations of Boston, New York, and Philadelphia, referred to above; an account stated, with proof of its approximate correctness, showing the expenditures in time and money of Dr. Morton in making and giving to the public his discovery;—reports from the Secretaries of War and of the Navy, the surgical bureau, the surgeons of the army and navy, and members of the medical profession, showing the extent to which the *nepenthe* is used, and the estimation in which it is held, and recommending compensation;—and a summing-up of the abstract question of discovery. As the appendix is voluminous, they have directed that an index be prepared and appended to facilitate its examination.

APPENDIX.

A.

The Committee on Military Affairs, to whom was referred the memorial of Dr. William T. G. Morton, asking remuneration from Congress for the discovery and gift to his country and to mankind of practical anæsthesia, have had the same under consideration, and report, as an appendix to the foregoing report:

That in order to arrive at a just conclusion as to the fact of the discovery and its true value, your committee examined with care the state of medical and surgical science in that department at the time of the pursuit, experiments and alleged discovery by the petitioner, which was during the years 1844–'45–'46; and they find that from the earliest times, and at all times within the historical period, some means have been known and used to deaden or destroy the sensation of pain in severe surgical operations, and in some cases where death was inflicted by lingering torture, a few cases taken from writers of different periods will sufficiently establish this position.

Pliny, the naturalist, who perished in the destruction of Herculaneum in A. D. 79, in describing the plant mandragora says, "It has a soporific power on the faculties of those who drink it; the ordinary portion is half a cup. It is drank against serpents, and before cutting and puncturing, lest they should be felt." When he speaks of the plant *cruca*, called by us the *rocket*, he says that its seeds, when drank in wine by criminals about to undergo the lash, produce a sort of callouness or induration of feeling.

Dioscorides, the great physician of Cilicia, in Asia, states, in his chapter on the mandragora:

"Some boil down the roots in wine to a third part, and preserve the juice thus procured, and give one cyathus of it to *cause the insensibility of those who are to be cut or cauterized.*"

Besides this decoction, he speaks also of a wine made from the bark of this same root, which was to be used for the same purpose. Speaking of another variety of mandragora, called *morion*, he observes, "medical men use it also for those who are to be cut or cauterized."

Matthiolus, the commentator on Dioscorides, confirms all his various statements, which are subsequently vouched for by Dodoneous, who states that "wine, in which the roots of mandragora have been steeped, brings on sleep, and appeases all pains; so that it is given to those who are to be cut, sawed, or burned in any parts of their body, that they may not perceive pain."

Apuleius, of Madaura, who lived about a century later than Pliny, writes: "If any one is to have a member mutilated, burned, or sawed, let him drink half an ounce with wine, and *let him sleep until the member is cut away, without any pain or sensation.*"

A work on the pharmacopœia and medicine, entitled *Kon-ken-i-tong*, or general collection of ancient and modern medicine, which belongs to the Bibliotheque Imperial at Paris, has prefixed to it biographical sketches of several hundred of the most distinguished physicians of China. Under the biographical notice of *Hoatho*, who flourished under the dynasty of *Wei*—that is, between the years 220 and 230 of our era—occurs the following passage:

"But if the disease resided in parts upon which the needle, the *moxa*, or liquid medicaments, could not operate—for example, in the bones, or the marrow of the bones, in the stomach, or the intestines, he gave the patient a preparation of hemp, (in the Chinese, *ma-yo*,) and after a few moments he became as insensible as if he had been drunk or dead. Then, as the case required, he performed

operations, incisions, or amputations, and removed the cause of the malady; then he brought together and secured the tissues, and applied liniments. After a certain number of days the patient recovered *without having experienced during the operation, the slighest pain.*"

This *ma-yo* employed by *Hoatho*, also called *Hans, mafo-san*, or hemp-essence powder, the same drug as mentioned by Herodotus twenty-three centuries ago, is the *cannabis indica*, the *haschisch or hasheesh* of the east, now much cultivated and used there for the preparation of *Bhang*, the intoxicating effects of which, and the terrible results of its use have been so often described. "This," wrote Sir Joseph Banks, about the commencement of this century, "is prepared, and, I believe, used in all partes of the east, from Morocco to China. In Barbary it is always taken, if it can be procured, by criminals condemned to suffer amputation; and it is said to enable those miserables to bear the rough operations of an unfeeling executioner, more than we Europeans can the keen knife of our most skilful surgeons."

But all these pain-assuaging drugs, if used improperly and to excess, as they frequently are, first to relieve pain, then produce pleasurable sensations, tend to destroy the nervous system, and generally produce insanity or death. Such is especially the case with alcohol and Indian hemp, or haschisch. It is recorded in a modern journal of medicine:

More than one-half of the natives received provisionally into the insane wards of the civil hospital in Algiers have been smokers of haschich or eaters of maadjaun, and scarcely one of them is ever found to recover.*

But in the hands of skilful surgeons they have at all times produced, to a limited extent, a salutary effect. Theodoric, who died in 1298, ordered the inhalation of an anodyne vapor, to prevent pain, by means of a "*spongia somnifera*," (or sleeping ball,) as it is called in the rubric. Hugo, of Lucca, who was the teacher of Theodoric, and had often used it, thus describes its preparation: "Take of opium and the juice of unripe mulberry, of hyoscyamus, of the juice of the hemlock, of the juice of the leaves of the mandragora, of the juice of the woody ivy, of the juice of the forest mulberry, of the seeds of lettuce, of the seed of the burdock, which has large and round apples, and of the water-hemlock, each one ounce; mix the whole of these together in a brazen vessel, and then in it place a new sponge, and let the whole boil, and as long as the sun on the dog-days, till it (the sponge) consumes it all, and let it be boiled away in it. As often as there is need of it place this same sponge into warm water for one hour, and let it be applied to the nostrils till he who is to be operated on (*qui incidendus est*) has fallen asleep, and in this state let the operation be performed, (*et sic fiat chirugia.*) When this is finished, in order to rouse him, place another dipped in vinegar frequently to his nose, or let the juice of the roots of fenigreek be squirted into his nostrils. Presently he awakens."

M. Dauriol, a French physician, residing in the neighborhood of Toulouse, asserts that, in 1832, he followed the directions given by Theodoric, and operated several times with success. He even reports five cases of painless operations.

According to the statements of many writers, during the fourteenth, fifteenth, and sixteenth centuries it was the custom to give criminals about to undergo the torture a compound which deadened their sensibility. This is borne witness to by Nicholas Eymeric, grand inquisitor of Aragon.

This was also the opinion of Pegna, who commentated the work of Eymeric in 1578, who attributed it to sorcery. In 1524 Hippolitus, professor of jurisprudence at Bologna, wrote, in his Criminal Practice, that he had seen accused persons, as it were, asleep, under the most cruel tortures; and in such a stupor as resembles the action of narcotic medicines. This result is regretted by Tabouneau, a contemporary of Pegna, who complained that it had become almost useless to apply the torture, for the means of stupefaction being known to every

* "Journal de Medicine et de Chirurgie Pratique," and "Medico-Chirurgical Review," 1858.

jailor, they seldom fail to impart the benefit of their secret to the wretches put to the question.

Although at this time the means of deadening sensibility by drugs were so well known to the criminals and their jailors, it does not appear that their use to relieve pain during operations was by any means common. It is probable the deadly results which must have often ensued from their use, the long-continued depression which they exert upon the nervous system, the confirmed stupor, and the congestions and other accidents which are so liable to follow, all conspired to prevent their use or even examination by the surgeons.

Guy de Chauliac, or Chaulieu, and Brunus, are the only ones during this period who refer in their medical works to agents to relieve pain. But as especial reference is made by them to their bad effects and the danger of producing asphyxia, congestions, and death, it is probable that they were seldom and most unsuccessfully employed.

J. Canape, or Canappe, physician to Francis I, wrote a work in which he speaks of the procedure of Theodoric and others, and thus refers to the dangers of the internal administration of narcotics: "*Les autres donnent opium à boire,* et font mal, spécialement s'il est jeune, et l'aperçoivent; car c'est avec une grande bataille de vertu animale et naturelle. J'ai oui qu'ls encourent manie, et part consequent, la mort."

The celebrated French surgeon, Ambrose Pare, toward the close of the same century, mentions that a decoction of mandragora, "to avert the pain attendant upon the amputation of a limb," was "formerly used." In 1579 an English author, Bulleyn, stated that it was possible to put a patient into an anæsthetic state during the operation of lithotomy, but speaks of the sleep produced as "a trance, or a deepe terrible dreame."

Many of the older authors affected a secrecy and mystery as regards these preparations. Baptista Porta describes a "*pomum somnificum,*" (a sleeping apple,) "the smelling of which binds the eyes with a deep sleep." He states that there can be extracted from plants "a quintessence which must be kept in leaden vessels, very closely stopped that it may not have the least vent, lest it fly out. When you would use it, uncover it and hold it to a sleeping man's nostrils, whose breath will suck up this subtile essence, which will so besiege the castle of his senses that he will be overwhelmed with a most profound sleep, not to be shook off without much labor. After sleep no heaviness will remain in his head, nor any suspicion of art. These things," he adds, "are manifest to a wise physician; to a wicked one obscure."

Meisner gives in detail an account of a secret remedy given toward the close of the seventeenth century, by Weiss, to Augustus II., King of Poland, which produced such a perfect state of anæsthesia that the King's diseased foot was amputated without his feeling it. The operation was performed without the royal patient's consent, and was not discovered by him until the following morning.

In the tragedy of "Women Beware Women," written by Middleton, and published in 1657, he alludes in the following terms to anæsthesia in surgery:

> "I'll imitate the pities of old surgeons
> To this lost limit, who, ere they show their art,
> *Cast one asleep, then cut the diseased part.*"

Of all the narcotics which have been employed to relieve pain, opium (which Van Helmont calls the "*specific gift of the Creator*") and its various preparations has been the longest time in vogue, and with by far the most certain and satisfactory results. Theodoric and Guy de Chauliac gave it internally, and many other surgeons have constantly since advocated its use. Up to the time of the discovery of etherization it was in reality the only means relied upon to deaden the anguish of an operation; it was the custom to administer a large dose, but one varied according to the age, to the patient a short time previous

to the commencement of the operation; and, if grave, it was never begun until the effects manifested themselves. Although the effect was never pushed to the state of stupefaction, and consequently a great degree of pain could be felt, it could never be looked upon as a reliable or safe agent. The uncertainty of the time or power of its action; the delirious excitement which it often occasioned instead of insensibility; its really poisonous properties, and the subsequent troubles which it rendered liable—all conspired to render its use as seldom as possible, and then only for extreme cases.

In the year 1828 M. Girardin read a letter before the Academy of Medicine, addressed to his Majesty Charles X., by Mr. Hickman, of London, in which he asserted that he could, by introducing certain gases into the lungs of the patient, perform the most painful and dangerous operations without his feeling it in the slightest degree. The proposition of Mr. Hickman met with little or no favor in France, and even in England all the experiments made by him were attended with very poor success.

Nothing is known with certainty as to the gas which he used. Down to this time the great discovery had not been made. As late as 1839 M. Velpeau wrote:

"To escape pain in surgical operations is a chimera which we are not permitted to look for in our day. A cutting instrument and pain, in operative medicine, are two words which never present themselves the one without the other, in the mind of patients, and it is necessary for us surgeons to admit their association."

But there has been and there continues to occur many cases in which the pain of operations was alleviated, if not entirely destroyed, by stimulants, by sedatives, and by mental preparation, and the faculty, with little faith in mesmerism, did not entirely reject even it in practice. It was very common opinion in the profession that pain *could be* destroyed in surgical operations, while it was quite clear that no safe and certain means had yet been found to effect the object. In this state of science and opinion it were no new discovery to find and prove that the pain of an operation might be, in some cases, alleviated or destroyed by physical appliances, or mental preparation, or both combined. The *desideratum* was some physical appliance, easy to be administered, and safe, certain, and uniform in its operation. Nothing short of this could be received and adopted by the profession, and this had not yet been discovered.

In 1844 Mr. James Braid, surgeon of Manchester, England, published a work entitled "Neurypnology or Hypnotism, or the Rationale of Nervous Sleep, considered in relation to Animal Magnetism." He claimed in this work to have made a discovery precisely similar to that claimed by M. Rocca. He maintained that the chief phenomenon of mesmerism, the state of catalepsy or insensibility, could be produced in most persons by fixing the eyes on a bright point, at a given distance, before and above the eyes, and that in the condition thus produced surgical operations could be performed without pain to the patient. The mesmerizers replied that his discovery was no discovery at all; that they had long been familiar with the phenomena he described, which did not at all invalidate the claims of mesmerism. And they declared that they had long been in the habit of performing painless operations upon persons in the state of catlepsy, induced by mesmeric influences. In a book entitled the "History and Philosophy of Animal Magnetism," published in Boston in 1843, a year before Braid's book appeared, we find the following statements:

"Dr. Shattuck, of Lowell, has been very successful as a magnetizer, and has made some new and valuable discoveries in the science. A large tumor was extracted from the shoulder of a lady, whom he had magnetized at a public lecture in Lowell, without causing the slightest pain. The incision was made to the depth of two inches. This experiment was performed under the direct

personal inspection of three or four other physicians, who admitted the astonishing insensibility of the patient. Mr. Silas Allen, of Boston, recently magnetized a lady who had broken an arm, and the fracture was set by Dr. Hewett while she was in this state without pain. In this state some persons are entirely insensible to pain in every part of the body. You may pierce their flesh with knives, pull out their teeth, cauterize them with a hot iron, apply the most powerful caustic to their flesh, or give them an electric shock which would cause instant death in the natural state, but they appear totally unconscious of your attacks. The wonderful insensibility of some persons in the magnetic state has been tested by experiments which place the fact beyond dispute. Teeth are every day extracted while the patients are under this influence without pain. Tumors have been cut out, limbs set, and other painful operations performed, which could not otherwise be endured."

In 1799 Sir Humphrey Davy commenced experimenting with *nitrous oxide*. He suggested its capability of destroying physical pain, and that it might "probably be used in surgical operations in which no great effusion of blood takes place." But there is no evidence that he or any one else tested this theory until quite a recent date.

Dr. Martin Gay, in 1847, says:

"An attempt was made, without success, four or five years ago, by some students at Cambridge, to perform the operation of extracting teeth upon one or two of their companions who were under the influence of nitrous oxide. In one instance the subject, while under the influence of the gas, made his escape, and was with difficulty caught. A peculiarly pugnacious state of feeling had been induced; certainly not the condition in which to undergo a delicate surgical operation." Horace Wells, in 1844, employed it for producing temporary unconsciousness while extracting teeth, and found it to produce exhilaration out of proportion to its anæsthetic properties, and the hopes founded upon it proved nugatory and delusive, but we shall have more to say of this in the sequel. In like manner faded away the hopes founded upon mesmerism. Up to the time we are writing, and two or three years later exhibitions of the nitrous oxide gas and animal magnetism were held throughout the New England States for the purpose of amusement.

Though these experiments had produced no safe, efficacious, and unobjectionable means of performing operations without pain, they afforded daily stimulus to those experimenting in that direction.

Your petitioner, Wm. T. G. Morton, M. D., attended the lectures of the Massachusetts Medical College, obtained his medical degree at the Washington University, Maryland. Dr. John C. Warren, one of the professors who delivered surgical lectures at the Massachusetts Medical College at this period, says: "The discovery of a mode of preventing pain was annually alluded to in his lectures. Trials were made with all the plans calculated to accomplish that end, opiates and stimulants were given freely, and experiments made with animal magnetism and nitrous oxide, or laughing gas. Dr. Morton personally assisted in demonstrating the utility of some of these agents before the medical class of which he was then a member.

While searching for something to supply the want in question, a young lady, a Miss Parrot, of Gloucester, came under his care, who suffered such intense pain in a tooth that endurance seemed impossible. Among a lot of books which Dr. Morton purchased on the 3d of May, 1845, was the following, which contained in a condensed form what was known by the profession as to its use in medicine, Pereira's Materia Medica, in which it is stated that "the vapor of ether is inhaled in spasmodic asthma, chronic catarrh and dyspepsia, hooping cough, and to relieve the effects caused by the accidental inhalation of chlorine gas."

"When the vapor of ether, sufficiently diluted with atmospheric air, is *inhaled*,

it causes irritation about the epiglottis, a sensation of fullness in the head, and a succession of effects analogous to those caused by the protoxide of nitrogen, and persons peculiarly susceptible of the action of the one are also powerfully affected by the other. If the air be too strongly impregnated with ether, stupefaction ensues. In one case this state continued, with occasional periods of intermission, for more than thirty hours; for many days the pulse was so much lowered that considerable fears were entertained for the safety of the patient. In another case, an apoplectic condition, which continued for some hours, was produced."

Another book, Hooper's Medical Dictionary, under the head of Ether, says: "Applied externally, it is of service in *headache, toothache, and other painful affections.* * * * * If it be prevented from evaporation by covering the place to which it is applied closely with the hand, it proves a powerful stimulant and rubefacient, and excites a sensation of burning heat, as is the case with solutions of camphor in alchohol or turpentine. In this way it is frequently used for removing pains in the head or teeth." Dr. Morton applied this prescription to the diseased tooth of his patient freely and often, keeping it sealed up in the hollow tooth. On introducing the instrument in the cavity of the tooth in search of the sensitive portion of the bone, he found the patient experienced no pain whatever, but to his surprise the surrounding parts were benumbed. The thought flashed across him, if one part can thus be brought under the influence of ether, why not the whole system? He was in a situation well calculated to work out this problem. At this period he was attending the lectures of the Massachusetts Medical College. It was formerly the annual custom, both in this country and in Europe, when the lecture on ether and gases was delivered by professors in many of the colleges, to put a little ether into a bladder and offer the students their choice to inhale ether or nitrous oxide. This offer was accompanied with a statement that the nitrous oxide, when carried to the same extent, was safe, and the ether dangerous. During Dr. Morton's attendance upon the lectures of the Medical College, nitrous oxide and ether were both lectured upon, and the effect of nitrous oxide exhibited before the class, he taking part in the exhibitions. Instances are on record of students falling flat upon the floor during insensibility, produced by the inhalation of ether at these exhibitions. Mr. Metcalf, to whose testimony we shall presently refer, communicated to Dr. Morton an account of his administering ether to a person, for the purpose of producing exhilaration, who became exceedingly wild, and in his struggles severely injured his head, and yet who, after the subsidence of the wild state, knew nothing of his injury until his attention was called to it. These facts, taken in connexion with the observation Dr. Morton had made of the effects of ether sealed up in his patient's tooth, was calculated to arrest attention. They presented credentials which had a right to be examined. Ether had a right to be tried, candidly and fairly tested, unless it could be shown that its previous bad character forfeited all claim to further consideration. What, then, was its previous character? What is the *a priori* evidence respecting the danger of ether on the one hand, or its narcotic power on the other? And first, the danger rests mainly upon the evidence of a few cases; the gentleman in Brande's Journal, the druggist's maid servant, and the young man of the Midland Medical and Surgical Journal; to which may be added the experiments of Orfila upon dogs, and Brodie upon Guinea pigs.

He therefore engaged earnestly and diligently in the study of its properties, more especially the effect produced by its inhalation. The current knowledge on the subject was not in all things encouraging. It had, doubtless, many times had the effect of producing total insensibility, from which the subjects recovered without injury, but in some cases it had caused death; caution was therefore necessary in its use, and success uncertain. The student in pursuit of scientific discovery leaves but few traces until he reaches the point where success is no

longer doubtful; the fear of ridicule in case of failure, and the fear of rivals in case of success, are sufficient to make him cautious even to timidity. One sagacious observer, however, discovered Doctor Morton's purpose before he disclosed it to his more intimate friends. This witness is the son of the present Judge Metcalf, of the supreme court of Massachusetts, and of the highest character, and of responsible scientific attainments; he supplied all the chemicals for the city institutions of Boston and Chelsea. On the 6th day of July, 1846, Mr. Metcalf sailed for Europe, in the ship Joshua Bates, on a tour, from which he returned in the fall of 1847. The story is best told by himself.

9th. Did you ever have any conversation with Dr. William T. G. Morton on the subject of the properties and effects of ether? If yea, when was it? State particularly all your means of knowledge as to the date, and especially as to its being before or after you heard of the ether discovery, and before or after your visit to Europe.

Answer. I did have a conversation with him on that subject. It was previous to my departure for Europe; it was the spring or early summer of 1846. I know it was previous to my departure for Europe, because, when I saw this account in the French journal, I fixed it in my own mind that Dr. Morton was the man, remembering this conversation; and I think I mentioned it to persons who were with me.

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11th. Where was this conversation with Dr. Morton? State the circumstances fully, and all that was said or done on either side.

Answer. It was in my store in Tremont street, then occupied by Mr. Burnett. Dr. Morton came in, and had a vial filled with sulphuric ether. While he had it in his hands, he came to me and asked various questions with regard to its qualities and medicinal effects. He asked with regard to its effects when inhaled I spoke of it as producing the same effects as nitrous oxide gas when inhaled; and I related to him some experiments of mine in taking and giving it for purposes of exhilaration. I stated to him also what was the then general belief, that if inhaled in excessive quantities its effects would be dangerous, if not fatal.

12th. State all you saw or did with reference to this vial. Describe it. How large was it? What did you do to it? How do you know it was sulphuric ether? Why may it not have been chloric ether, or nitrous oxide?

Answer. Dr. Morton brought it in the vial which he had filled. The vial had on an old and dirty label, on which was printed sulphuric ether. The label was not put on at the time. I recollect perfectly well having the vial in my hands, and uncorking it and smelling it. It was a two or four-ounce vial, as large as that. I know it was sulphuric ether, and not chloric ether or nitrous oxide.

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20th. State anything which Dr. Morton said, or asked, tending to show his knowledge or ignorance of sulphuric ether, and the extent thereof.

Answer. I can't remember any particular thing, but he knew something about it, as was manifest from his questions. The questions he asked showed some knowledge on the subject. When he went away he knew as much about it as I did, for I gave him all the information which I had.

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3d. Did any fact by you communicated to Dr. Morton, or any statement made, relate to the prevention of pain by sulphuric ether in surgical operations of any kind?

Answer. Nothing from me of that kind. I mentioned to him an account of a person who had injured himself while under the influence of ether, and did not know that he had been hurt.

* * * * * * * * * *

6th. What was the account referred to by you of a man who did not know of his being hurt?

Answer. In giving a general account of my administering ether, I spoke of a person to whom I had given it, who was exceedingly wild, and who injured his head while under the influence of it, and did not know, when he got over the influence of the ether, that he had hurt himself until it was called to his attention. This was not a new fact, but was well known at the time.

7th. You have spoken of stories and anecdotes which you told to Dr. Morton. Were any of those matters from your own experience? If aye, what?

Answer. They were all within my own experience, so far as I now recollect. One of the incidents is the one I have just related. Another was the case of a man with whom I sat up all night while under the influence of ether, and a good many ludicrous things occurred, which I related to the Doctor.

8th. Whether or not you told Dr. Morton of the effect which the ether had on those persons to whom it had been given by you? And if so, what did you state was the effect of the ether?

Answer. The two preceeding answers will answer this. I stated that its general effect was exhilaration, and incidentally I mentioned this case of insensibility.

* * * * * * * * * *

Answer. There are many kinds of ether, or several kinds and qualities, varying in name. He said nothing to me about the ether in his hands not serving his purpose. The information was all on my side, though he showed by his questions that he knew something of its nature.

10th. Whether or not the questions referred to by you in your answer to the 20th interrogatory, were or were not such as any one familiar with Dr. Wells and his experiments, and interested in the same, would or might have asked for?

Answer. At the time those questions were asked I did not know that there was anything then in them more than any person interested in the subject might have asked, but subsequent events, connected with my recollection of his manner, have given me the impression that he was then seeking for this object which has been attained—the anæsthetic effect.

If we consider the then pursuit of Dr. Morton, his earnest desire for information, and his anxiety to preserve his secret, his shyness with others, and his comparative freedom in conversation with Mr. Metcalf, will be fully explained. Mr. Metcalf was a chemist possessed of all the current scientific knowledge of his profession, and he was just setting out on a voyage to Europe, so that Dr. Morton could avail himself of his knowledge and his suggestions with safety to his secret.

Joseph M. Wightman, present mayor of the city of Boston, a gentleman who has been in the habit of giving experimental lectures on science, since 1837, and on all the various branches of natural philosophy, states in his deposition as follows:

9th. When Dr. Morton asked you if the India-rubber bags would hold ether, did he mention what kind of ether he was inquiring about? What was it? Are you sure? and why?

Answer. I asked him, when he asked me the question, "if it was sulphuric ether." He said it was. I am sure, because of the subsequent conversation with him of the effect of the ether in softening the bags. I knew of no other kind of ether which would have that effect. When he asked me about the effect of ether upon the bags, my first question to him was, "I suppose you mean sulphuric ether," and he replied "that he meant the common ether." I think these were his words.

Answer. The conversation in relation to the subject was more extended in relation to the effects of mesmerism and ether, at that time, than I have indicated in my previous answers—not only the subject of mesmerism and that of

exhilarating gas, but also the effects of inhalation of ether was spoken of. I now recollect of speaking to Dr. Morton about the effects of breathing ether from a handkerchief, as referred to in my answer to twenty-first interrogatory, at the time of the conversation with him about the India-rubber bags; I think it was also at this interview that the impression was made upon my mind that Dr. Morton was seeking for some method to draw teeth without pain.

Ere this, his intimate friends and the young men in his office knew he was engaged in devising or perfecting some important improvement in dentistry.

BOSTON, *March* 25, 1847.

I, Francis Whitman, of Boston, in the county of Suffolk, and State of Massachusetts, student at dentistry, on oath depose and say:

That I have often heard Dr. Morton speak about discovering some means of extracting teeth without pain. This discovery appeared to be the subject of his thoughts and investigations during the greater part of last year, *i. e.*, 1846. One day, I think it was previous to July, 1846, Dr. M., in speaking of the improvements he had made in his profession, and of some one improvement in particular, said if he could only extract teeth without pain, he "would make a stir." I replied that I hardly thought it could be done. He said he believed it could, and that he would find out something yet to accomplish his purpose. In a conversation with Dr. M., some time in July, he spoke of having his patients come in at one door, having all their teeth extracted without pain and without knowing it, and then going into the next room and having a full set put in.

I recollect Dr. Morton came into the office one day in great glee, and exclaimed that he had "found it," and that he could extract teeth without pain! I don't recollect what followed; but soon after he wanted one of us in the office to try it, and he then sent William and Thomas out to hire a man to come in and have an experiment tried upon him.

I told Dr. Morton I knew what it was that William had bought, and said it was chloric ether. Dr. M. then said he wished to know if ether would dissolve India-rubber, and sent William P. Leavitt to inquire of Dr. Gay if it would.

About this time Dr. M. asked me to get the books on chemistry and find what they said about ether. I did so, and read it over to him, and I think he went to Burnett's to see if he could not find something there.

Extracts from the testimony of Dr. William P. Levitt, of Boston.

Answer. I commenced studying dentistry with Dr. Morton in March, 1846, I believe, and was there nearly three years.

8th. What did you first know Dr. Morton to say or do about ether? State all you recollect, in its order, with all the circumstances.

Answer. The first which I heard of ether was immediately after my return from the country. It was the 1st of July, 1846. The first I heard, I believe, was when I was sent after some to Brewer, Stevens & Cushing. I heard Dr. Morton ask Dr. Hayden where he could procure some pure ether; this was in the back office. Hayden told him that he could get it, probably, at Brewer, Stevens & Cushing's, on Washington street. He then spoke to me, and asked me to go down, take a demijohn and get it filled, and be careful and not let them know who it was for. I went down and bought the ether, and, to make sure, I told him to make the bill out for the ether in the name of some man in the country. I forget what name I gave him. He did do it, and gave it to me, and I returned to Dr. Morton; I gave the ether to him. Soon after that he sent me to Dr. Gay's to ask him if ether would dissolve India-rubber; I went, and did not find the place, and returned.

10th. What was the next you saw or knew Dr. Morton to do about ether?

Answer. The next I heard of it he sent me and Thomas R. Spear to find a

man to have a tooth extracted under the influence of the ether. He told me he would give me five dollars if I would find a man to take the ether and have a tooth extracted. I went out with Thomas R. Spear for that purpose, but I did not find one; I went down on the wharves, City wharf, and Faneuil Hall market. He wanted a big Irishman, he said, a full, robust man, to whom he could give a good quantity. I returned, and reported so to Dr. Morton. Before this he had tried to induce me to inhale the ether. He asked me to take it, and said it was perfectly harmless; that he had taken it himself. I declined doing it. He tried to hire Spear to take it in my presence. Dr. Morton offered him some money; it was five or eight dollars. Spear said he would take it at the time, I believe, but afterwards concluded not to.

44th. I wish you to describe the proceedings of yours and Spear's in taking ether on this evening you have spoken of.

Answer. I had charge of the front room, and Spear, I think, had charge of the back room. I most generally took care of my room in the evening after folks had gone out and Spear was present. He got hold of the demijohn in some way or other, and said, "I'll take some ether, will you?" He took out his handkerchief sat down in the chair, took down the demijohn, and turned some on. He sat back in the chair, and held the handkerchief up to his face, and began to inhale it. He appeared to fall nearly asleep; he would quite, I think, if he kept still, if it had not excited him so. I think I told him if he would inhale it through his mouth it would affect him much quicker and much pleasanter; that it would not excite him so much as it would to draw it through his nostrils. I sat down in the chair, and took the cup which I mentioned with the sponge in it. I told Spear that I would take it if he would leave the room, as I was afraid he would cut up some capers (he was so lively) if I got asleep. I shut myself into the room, sat back in the chair, and began to inhale it.

45th. Did Spear, when he inhaled the ether on an evening, when, as you say, you and he inhaled it, move from the chair in which he was seated?

Answer. He did not move while he was inhaling it, not until he dropped the handkerchief; then he jumped up, and was very much excited; he jumped round considerably; I did not hold him. It was a minute after he put the handkerchief to his nose before these effects showed themselves.

On the 30th of June, 1846, three months before the discovery was made public, it appears, by the statement of Richard H. Dana, jr., attorney-at-law, and by a charge in his books, that an article of agreement was entered into by Doctor Morton and G. G. Hayden, by which the latter agreed to take charge of the business of Doctor Morton for a time; Doctor Morton giving to Mr. Dana as a reason of his entering into the arrangement, that he wished to give his attention to another matter of great importance, which, if successful, would revolutionize the practice of dentistry.

This conversation was shortly after detailed by Richard H. Dana, jr., to Doctor Francis Dana, jr., whose corroborative evidence puts the substance of the conversation beyond question, and the date is fixed by that of the instrument and the entry above referred to.

Grenville G. Hayden testifies "that, about the last of June, 1846, Doctor William T. G. Morton called upon me at my office, No. 23 Tremont Row, and stated to me that he wished to make some arrangements with me that would relieve him from all care as to the superintendence of those employed by him in making teeth, and all other matters in his office. He stated, as a reason for urging me to superintend his affairs in his office, that he had an idea in his head, connected with dentistry, which he thought 'would be one of the greatest things ever known,' and that he wished to perfect it, and give his whole time and attention to its development. Being extremely urgent in the matter, I made an engagement with him the same day, according to his request. I then asked him what his 'secret' was. 'Oh,' said he, 'you will know in a short time.' I

still insisted upon knowing it, and he finally told me the same night, to wit, the night of the last day of June, 1846, aforesaid, that 'it was something he had discovered which would enable him to extract teeth without pain.' I then asked him if it was not what Doctor Wells, his former partner, had used, and he replied, 'No! nothing like it;' and, furthermore, 'that it was something that neither he nor any one else had ever used.' He then told me he had already tried it upon a dog, and described its effects upon him, which (from his description) exactly correspond with the effects of ether upon persons who have subjected themselves to its influence, under my observation. All this happened in June, 1846. He then requested me not to mention what he had communicated to me.

"About a month after this, or the first of August, 1846, Doctor Morton asked me where he could get some pure ether, and asked me to go to Joseph Burnett's apothecary shop, and purchase a four-ounce vial full of ether, which he said he wished to carry home with him, he being about to leave town for Needham, where he then resided. And about the same time he explained to me the nature and effects of ether, and told me that if he could get any patient to inhale a certain quantity of ether gas it would cause insensibility to the pain of extracting teeth, and he tried to induce me to take it. Doctor Morton said he had breathed it himself and it would do no harm; and he at the same time tried to induce three young men in the office to take the gas. This was in August, 1846. He was continually talking about his discovery to me. From the time I engaged with Doctor Morton, as aforesaid, he frequently stated to me that he had nearly perfected every department in dentistry, save extracting teeth without pain, and that he was determined to accomplish that also. But towards the last of September following he intimated to me that, in some particulars, his discovery did not work exactly right, and, in my presence, was consulting his books to ascertain something further about ether."

Doctor A. A. Gould, a member of the American Academy of Arts and Sciences, the American Philosophical Society, the Academy of Natural Sciences of Philadelphia, the Boston Society of Natural History, and the Imperial Mineralogical Society of St. Petersburgh, in his deposition testifies as follows:

Cross-interrogatories by A. Jackson, jr., esq., counsel for Doctor Charles T. Jackson.

"11th. Will you please state when, and under what circumstances, you first had any knowledge of Doctor Morton?

"Answer. I had heard Doctor Jackson speak of him as a student; but my first personal knowledge of him was in August or September, 1846, when he called to request permission from me to place my name, as a reference, on his card.

"14th. Will you please state what he said about destroying pain?

"Answer. As near as I can recollect, he said, "and I will have some way yet by which I will perform my operations without pain." I smiled, and told him if he could effect that he would do more than human wisdom had yet done, or than I expected it would ever do."

From this testimony, corroborative of the statement of Dr. Morton, it does, in the opinion of your committee, sufficiently appear that he was, prior and subsequent to the 30th June, 1846, intent upon the discovery of some anæsthetic agent which would enable him to extract teeth without pain, and that he had faith and confidence that he was on the point of making the discovery. He says in his narrative that the anæsthetic agent which he then had in view was sulphuric ether, and the proof adduced is, in the opinion of your committee, equally conclusive in suport of that fact.

In the early part of August he communicated to Dr. Hayden the material used, and the course of his experiments had exhausted his supply of ether. He requested Dr. Hayden, during the early part of August, to procure him a fresh

quantity from the store of Mr. Joseph Burnett, and proposed that he should inhale it, stating at the same time that he had already used it several times; but the proposed inhalation Dr. Hayden respectfully declined.

This last supply procured was taken to the country. As, one day, he was giving it to his former patient, the spaniel, the animal, intoxicated, sprang against the jar, breaking the glass, and spilling all its contents but a small quantity. Morton, soaking his handkerchief in the portion which remained, applied it to his own mouth and nostrils, and by deep inspirations inhaled the vapor. Soon a feeling of lassitude came over him, followed by a complete but very momentary state of unconsciousness, as he states: "I am firmly convinced that at that time a tooth could have been drawn with no feeling of pain or consciousness." This was the first real verification of the theory on man—but on himself. Now it remained to corroborate it upon others.

This promised fair, but he was not yet satisfied. Before attempting its use in public he tried another and more decisive experiment on himself, which he thus describes in his memoir to the Academy of Arts and Sciences, at Paris, and which was presented by M. Arago:

"Taking the tube and flask, I shut myself up in my room, seated myself in the operating chair, and commenced inhaling. I found the ether so strong that it partially suffocated me, but produced no decided effect. I then saturated my handkerchief and inhaled it from that. I looked at my watch and soon lost consciousness. As I recovered I felt a numbness in my limbs, with a sensation like nightmare, and would have given the world for some one to come and arouse me. I thought for a moment I should die in that state, and the world would only pity or ridicule my folly. At length I felt a slight tingling of the blood in the end of my third finger, and made an effort to touch it with my thumb, but without success. At a second effort I touched it, but there seemed to be no sensation. I gradually raised my arm and pinched my thigh, but I could see that sensation was imperfect. I attempted to rise from my chair, but fell back. Gradually I regained power over my limbs and full consciousness. I immediately looked at my watch, and found that I had been insensible between seven and eight minutes.

"Delighted with the success of this experiment, I immediately announced the result to the persons employed in my establishment, and waited impatiently for some one upon whom I could make a fuller trial. Toward evening a man, residing in Boston, came in, suffering great pain, and wishing to have a tooth extracted. He was afraid of the operation, and asked if he could be mesmerized. I told him I had something better, and saturating my handkerchief gave it to him to inhale. He became unconscious almost immediately. It was dark, and Dr. Hayden held the lamp, while I extracted a firmly-rooted bicuspid tooth. There was not much alteration in the pulse, and no relaxation of the muscles. He recovered in a minute, and knew nothing of what had been done to him. He remained for some time talking about the experiment. This was on the 30th of September, 1846. This I consider to be the first demonstration of this new fact in science."

The former report thus alludes to that experiment:

The special circumstances attendant on this first actual experiment were most fortunate for Doctor Morton, for the cause of surgical science, and for the human race. The patient, owing to his intense suffering, was glad to avail himself of anything, real or imaginary, to relieve the pain which he felt and to mitigate that which he feared. He therefore inhaled the vapor freely, and delighted with the soothing lenitive he continued to inhale it eagerly until, anæsthesia being complete, he had forgotten his past sufferings and was beyond the reach of present pain. He was a man of vigorous constitution; he immediately rallied, unconscious of the operation which had been performed and wholly relieved from the pain which so lately afflicted him. If, in his stead, the boy who sickened with the inhala-

tion, and whose parents, believing him poisoned, threatened a prosecution, had been the first subject, the experiments would probably have gone no further; Doctor Morton would have been overwhelmed with censure and ridicule, and we do not think that either of the contestants would have come in to assert his claim to the disgrace of the failure. Considering the result, it is not a matter of surprise that Doctor Morton was elate with his success. He immediately announced it to those about him, though he concealed from them all, except Hayden, the agent with which the anæsthesia had been effected. He immediately obtained the certificate of Eben Frost, the subject of his experiment, and consulted with Doctor Hayden about testing his pain-subduing vapor in hospital practice.

Doctor Henry I. Bigelow, professor of surgery in the Massachusetts Medical College, a member of the American Academy of Arts and Science, the Boston Society for Medical Improvement, an honorary member of the Anatomical Society of Paris, corresponding member of the Biological Society of Paris, in his work on ether and chloroform thus alludes to the condition of the discovery at this period:

"Towards nine o'clock the inmates of the establishment were aroused by the arrival of a patient. Yet he, recognizing in the dental art only the substitution of one pain for another, desparingly inquired if mesmerism was not available in such ordeals. Here, then, was the long-wished-for opportunity, and complete unconsciousness crowned the experiment with success. It is quite probable that the world will not remember who this individual was, and yet it is true that the whole discovery of which we are now speaking exhibited its first authentic effort when it annulled the pain accompanying the lesion of the little nerve that animated his defective molar.

"It is worth while here to ask, what was the position of the discovery at this time? A tooth had been painlessly drawn, and, at a previous time, an irritation of the pulmonary air-tubes had been alleviated, with alleged insensibility, by the inhalation of a subtile vapor. Here were two facts, insufficient for the most hasty generalization, circumscribed in their bearing and showing, not that every person could be affected in a similar manner, bearing not upon vitality at large, but upon two specimens of it as modified in these two individuals; and proving, at the most, that animal vitality could be thus affected in two instances; and not that it could be so in all instances. Besides this, the wholly different question of danger was not yet touched by evidence. If these two cases showed that insensibility could be thus affected without danger, two or three previous cases showed, with equal clearness, that insensibility produced death. Knowledge, at this point, rested upon a few hypothetical facts. I confess had I been then asked what inference I considered safe, I should have replied, 'you have succeeded in two instances only; and, in view of the previous evidence upon this subject, it is quite likely that in two more instances either you will fail to produce insensibility, or, having produced it, your patients will die.' This seems to me the necessary logical conclusion upon previous evidence; and that this was the first conclusion of those who had knowledge in such matters will be well remembered by many. I cite only the opinion of a distinguished chemist in a neighboring city, who, after one or two facts of insensibility, counselled his son not to risk his health upon it. Also a letter from Sir Benjamin Brodie, one of the distinguished experimenters in physiology of twenty years ago, who, in full view of all the facts that were borne across the Atlantic, at the first announcement of the discovery, and after reflection, still wrote to Doctor Chambers: 'I had heard of this before. The narcotic properties of inhaled ether have been long known, and I have tried it on Guinea pigs, whom it first set asleep and then killed. One question is, whether it can be used with safety.'

"This was indeed the oneg reat question now to be decided. Another question was, can insensibility be produced in all cases? Let these questions be an-

swered affirmatively and the surgeon would be justified in multiplying experiments, while the value of the discovery would be infinitely enhanced.

"To settle these important questions, many instances of insensibility were needed, which were not long in offering themselves to the tenant of a largely frequented dental establishment. Each new trial added evidence in geometrical proportion, while the absence of serious mishap encouraged hope.

"Here is a second point in the discovery, and I consider a second proposition to have been now pretty well demonstrated. This was, not that ether *might* produce insensibility during the extraction of a tooth, and that the state of somnolence might be unattended with danger, but that it could always produce insensibility, and that the danger was comparatively slight.

"Brief inhalation may be considered as fairly tested, and the discovery fairly demonstrated, in this rapid and multiplied experience.

"Analogy, the degree of insensibility, and its superficial extent, rendered it quite probable that such insensibility would prove complete and universal. An *experimentum crucis* could alone determine such a point; nor was it long delayed."

This public experiment, and the circumstances attending, are proved to the entire satisfaction of your committee. Dr. Morton goes on to say:

"Afterwards I made several additional experiments in my office, with various success. I administered it to a boy, but it produced no other effect than sickness, with vomiting, and the boy was taken home in a coach and pronounced by a physician to be poisoned. His friends were excited and threatened proceedings against me. A notice of my successful experiment having, without my knowledge, got into the papers, several persons called, wishing to have it administered. I gave it to a lady, but it produced no other effect than drowsiness; and when breathed through the apparatus it produced suffocation. I was obliged to abandon this mode and try the globe, and procured one from Mr. Wightman; placing a saturated sponge in the larger end she breathed through that. In this way she seemed to be in an unnatural state, but continued talking, and refused to have the tooth extracted. I made her some trifling offer, to which she assented, and I drew the tooth, without any indication of pain on her part, not a muscle moving. Her pulse was at 90, her face much flushed, and after coming to she remained a long time excessively drowsy. From this experiment I became satisfied of what is now well proved, that consciousness will sometimes remain after insensibility to pain is removed.

"I afterwards gave it to a Miss L., a lady of about twenty-five. The effect upon her was rather alarming. She sprang up from the chair, leaped into the air, screamed, and was held down with difficulty. When she came to she was unconscious of what had passed, but was willing to have it administered again, which I did with perfect success, extracting two molar teeth. After this I tried several other experiments, some with more and some with less success, giving my principal attention to the perfecting of my modes of administering it."

The public notice which had been drawn to these trials by the publication in the newspapers induced many to visit his office as patients, and from motives of curiosity or interest; among them Dr. Henry J. Bigelow, the eminent surgeon, from whose notes the following cases were taken, and are good examples of the usual results produced by the inhalation of ether, and of the feelings and expressions of patients under its influence.

"A boy of sixteen, of medium stature and strength, was seated in the chair. The first few inhalations occasioned a quick cough, which afterwards subsided; at the end of eight minutes the head fell back and the arms dropped, but, owing to some resistance in opening the mouth, the tooth could not be reached before he awoke. He again inhaled for two minutes, and slept three minutes, during which time the tooth, an inferior molar, was extracted. At the moment of extraction the features assumed an expression of pain, and the hand was raised.

Upon coming to himself he said he had had a 'first rate dream—very quiet,' he said, 'and had dreamed of Napoleon—had not the slightest consciousness of pain—the time had seemed long;' and he left the chair, feeling no uneasiness of any kind, and evidently in a high state of admiration.

"A girl of sixteen immediately occupied the chair. After coughing a little she inhaled during three minutes, and fell asleep, when a molar tooth was extracted, after which she continued to slumber tranquilly during three minutes more. At the moment when force was applied she flinched and frowned, raising her hand to her mouth, but said she had been dreaming a pleasant dream, and knew nothing of the operation.

"A stout boy of twelve, at the first inspiration, coughed considerably, and required a good deal of encouragement to induce him to go on. At the end of three minutes from the first fair inhalation the muscles were relaxed and the pupil dilated. During the attempt to force open the mouth he recovered his consciousness, and again inhaled during two minutes; and in the ensuing one minute two teeth were extracted, the patient seeming somewhat conscious, but upon actually awaking he declared 'it was the best fun he ever saw,' avowed his intention of coming there again, and insisted upon having another tooth extracted upon the spot.

"The next patient was a healthy-looking, middle-aged woman, who inhaled the vapor for four minutes. In the course of the next two minutes a back tooth was extracted, and the patient continued smiling in her sleep for three minutes more. Pulse 120, not affected at the moment of the operation, but smaller during sleep. Upon coming to herself she exclaimed that 'it was beautiful—she dreamed of being at home—it seemed as if she had been gone a month.'"

These cases, which occurred successively in about an hour, at the room of Dr. Morton, are fair examples of the average results produced by the inhalation of the vapor, and will convey an idea of the feelings and expressions of many of the patients subjected to the process.

The gentleman who had conducted these experiments determined upon submitting the new phenomena to the test of a surgical operation; and there was a certain liberality of spirit which was instrumental in introducing the discovery into the Massachusetts General Hospital. Many such pretended discoveries had failed. To be a party to such public failure was to invite an imputation of lack of judgment; and although this novelty presented peculiar and unequivocal evidence, and possessed an intrinsic worth which need have regarded no opposition, yet a spirit of liberality and of discernment is to be recognized in the attitude of Dr. Warren, who assumed the responsibility of failure, and of the danger that might well seem possible to one who had not witnessed the previous experiments. Ether has not always met with equal consideration.

Dr. Hayden says on the evening of the 30th of September, after the first experiment had been made with success, Dr. Morton spoke about going to the hospital and using the ether there, and thus bring out the new discovery.

Dr. John C. Warren was then senior surgeon and in charge of that hospital. On the 4th of October Dr. Morton called upon him and laid the whole matter before him. There were other reasons why it was most natural that Dr. Morton should go to Dr. Warren; he was a member of his class, and he had on former occasions been in the habit of calling on him for the purpose of showing improvements he had made, somewhat out of the line of the dentist, and lying within the domain of surgery. J. Mason Warren says:

"I first saw Dr. Morton in 1846, at the house of Dr. Warren, in Park street, I think, between 1 and 2 o'clock. He came there to show me an artificial palate, I being at that time interested in operations for fissure of the palate. Some time afterwards he came there again, about the same hour, to exhibit to Dr. John C. Warren and myself some artificial teeth, which, he said, were con-

structed on a new plan. Some time after that, in October, Dr. Warren informed me that Dr. Morton had been there and informed him that he had discovered an agent for preventing pain, I think he said, in dental or surgical operations, and requested Dr. Warren that he would afford him an opportunity of trying it in a surgical operation. Dr. Warren, after some questions on the subject, promised that he would do so. On Tuesday, which I think was the 13th of October, and after the surgical visit at the hospital, a patient was brought up into the operating room for the purpose of having an operation performed. Dr. Warren then, apparently remembering his promise to Dr. Morton, said: "I now remember that I have made a promise to Dr. Morton to give him an opportunity to try a new remedy for preventing pain in surgical operations," and asked the patient if he should like to have the operation done without suffering. He answered that he should. The operation was therefore deferred until Friday, the 16th of October.

M. Velpeau, who is named at the head of the commission on ether, in speaking of Dr. Morton, at the period he applied to Dr. Warren, says:

"Sure, then, of this fact, he addressed himself to the surgeons of the Massachusetts General Hospital, and proposed to them to apply his means to patients who were to be submited to the action of cutting instruments. They hesitate a moment; they afterwards accept. Without being complete the first experiment gave courage; at the second attempt success left nothing to desire. The facts multiply themselves in a few days, and the question is answered almost as soon as put. No objection is longer possible; the most incredulous are obliged to yield to the evidence; they must believe their eyes; the solution of the grand problem is at last found."

Day after day rolled on without hearing anything from Dr. Warren. In the meantime Dr. Morton was constantly engaged in trying experiments at his office, some with more and some with less success. Dr. Bigelow gives an account of half a dozen experiments witnessed in the course of one hour at Dr. Morton's rooms. From the day of the first experiment, it is safe to say that Dr. Morton hardly knew a full night's rest or a regular meal for three months.

The enthusiasm, as regards the new discovery, increased from day to day; notices multiplied in the papers, and the news was spread—it was received with acclamation by men of science and high social position, while, at the same time. it inspired the poor waiting sufferers at the hospitals and elsewhere with confidence, hope, and joy. At first they seemed somewhat incredulous, as if it were "too good news to be true." Soon all became satisfied of there being something in it, on good hearsay evidence, and some had ocular demonstration of what they sought to know.

At the end of ten long days from the time Dr. Morton called on Dr. Warren he received the following note:

"DEAR SIR: I write at the request of Dr. J. C. Warren, to invite you to be present on Friday morning at ten o'clock, at the hospital, to administer to a patient, who is then to be operated upon, the preparation which you have invented to diminish the sensibility to pain.

"Yours, respectfully,

"C. F. HAYWOOD,

"*House Surgeon to the General Hospital, October* 14, 1846.

"DR. MORTON, *Tremont Row.*"

As the time drew near for his experiment at the hospital Dr. Morton became exceedingly anxious, and devoted himself, night and day, to the perfection of his apparatus, and to a still more complete investigation of the subject.

Among others whom he conferred with at this time was Dr. A. A. Gould, who gave it his earnest attention, and devoted himself to making sketches of apparatus, and in experimenting and suggesting antidotes for its unfavorable

effects; and in still further extending to Morton the knowledge of the literature of the subject. One form of apparatus, which had been agreed upon by him as possessing advantages over the old one used by Morton, had been ordered of Mr. Chamberlain, the instrument maker, who had promised to have it finished early on the morning of the trial at the hospital. But, as the hour drew near, it was found that some last changes were required to finish it, and Morton, becoming nervous and impatient, hurried him on in his work, until at last, fearing lest he should be too late, he seized the instrument directly from his hands, and started in haste for the hospital, almost breathless with apprehension and the celerity of his movements.

He had taken the precaution to request Mr. Frost to accompany him, to conduce in some way to his relief, in case of failure, and act as a voucher as regards his statements of what he had already accomplished. At this moment his mind was in one great whirl of doubts and conflicting emotions. Mixed with the fear that his new and untried instrument might not work, and perhaps render the issue abortive, was his own vague doubt of a successful exhibition.

He had already had sufficient experience in administering the vapor to know that its effects were widely different upon various persons, and he could hardly dare to hope that the case would be as favorable as that of the man who was accompanying him. Suppose the patient should be affected as some had already been at his house, and should scream, or leap into the air, requiring force to keep him in his seat, would not the surgeons at once feel obliged to interfere, take the patient from his hands, and politely request him to retire? Then, too, there were cases on record of patients, debilitated by disease, dying before the eyes of the operating surgeon, and the question flashed through his mind: "If this experiment should result adversely, shall I not be charged with its fatal issue?"

A second unfavorable fact in the case was his entire ignorance as to what his patient might be; whether some hardened toper, saturated with strong drink, upon whom the preparation might produce no more effect than his ordinary daily "nipper," or some delicate and timid female, who would tremble and be overcome at the very thought of being experimented upon.

Luckily for Morton was it that he arrived at the precise moment at which he did. But we will let an eye-witness tell the rest of the story.

Dr. Gould, who was present at the first operation in the hospital, says: "Dr. Warren was about to commence the operation. He suddenly rose and turned to those present, and said he had forgotten that he had promised to allow Dr. Morton to give something which he thought would prevent pain, and he would wait. Previous to the operation, Dr. Warren, having waited ten or fifteen minutes, again turned to those present and said: 'As Dr. Morton has not arrived, I presume he is otherwise engaged;' apparently conveying the idea that Dr. Morton did not intend to appear. The remark of Dr. Warren brought out a great laugh. Dr. Warren then sat down to his patient. Just as he raised his knife, Dr. Morton appeared with an inhaler with valves, such as I had proposed. He administered the ether. All looked very incredulous, especially as the man became at first exhilarated. But suddenly the anæsthetic effect took place. This occasioned a start of surprise from all present. Dr. Morton coolly informed Dr. Warren that his patient was ready."

We give the substance of Dr. Gould's testimony, the order not being exactly preserved.

"As Dr. Warren, seizing the bunch of veins in his hand, made the first incision through the skin, the patient made no sound nor moved one muscle of his body. As the operation progressed all eyes were riveted on this novel scene in eager expectancy and amazement. The silence of the tomb reigned in the large amphitheatre, and the form of each beholder was as still and immovable as the skeletons and mummies which hung in the cases behind them.

"At length the operation was finished, and the blood having been washed from his face the patient was gradually allowed to come from his anæsthetic state. When fully restored to consciousness, and able to answer questions, he gave the triumphant and gratifying intelligence, 'I have experienced no pain, but only a sensation like that of scraping the part with a blunt instrument.' This arose from the fact that, as the operation had taken rather longer than anticipated, Dr. Morton had several times removed the inhaling instrument from his mouth."

Dr. John C. Warren says:

Answer. I performed an operation, at the request of Dr. Morton, at that time, upon a patient who was under the influence of something, I don't know what. I did not know then, and don't know now. Dr. Morton called on me some days before that time, said he had an article the use of which would prevent pain in surgical operations, and asked me to use it the first opportunity I had Two or three days after, not having any private operation, I employed it on a patient at the hospital.

3d. Was this, and how far, a successful operation, as regards the insensibility of the patient?

Answer. As relates to pain, it was perfectly successful. The patient did not complain of pain at that time, nor even state that he had experienced pain, but, during the latter part of the operation, he was sufficiently conscious to speak and move freely.

4th. Was it Dr. Morton's request that you should use it at the hospital, or that you would use it in a surgical case, irrespective of place?

Answer. It was of a general nature, and, as I understood, referred particularly to my private patient, but not having any private patient to operate on at that moment I applied it to a patient in the hospital.

5th. What was the operation of October 16, 1846?

Answer. It was an operation on a tumor about three inches long, on the left side of the neck, a dangerous vascular tumor, deeply situated. It was removed in about five minutes.

6th. Before you used it did you take means, by inquiry or otherwise, to satisfy yourself of the safety and probable utility of this substance which Dr. Morton proposed to administer?

Answer. I asked Dr. Morton whether the substance he proposed to me to use was certainly safe to the patient, and whether he was sure it would be effectual, as I had been anxious to find something of the kind he proposed, and made repeated trials of articles without any satisfactory effect. He assured me in reply that the substance he proposed to employ was perfectly safe, and thought it would be effectual.

As this is the central point of the inquiry, your committee add a report, copied from the records of the Massachusetts General Hospital: "This case is remarkable in the annals of surgery. It was the first surgical operation performed under the influence of ether. Dr. Warren had been applied to by Dr. Morton, a dentist, with the request that he would try the inhalation of a fluid, which he said he had found to be effectual in preventing pain during operations on the teeth. Dr. Warren, having satisfied himself that the breathing of the fluid would be harmless, agreed to employ it when an opportunity presented. None occurring in private practice within a day or two, he determined to use it on this patient.

"Before the operation began, some time was lost in waiting for Dr. Morton, and ultimately it was thought he would not appear; at length he arrived and explained his detention, by informing Dr. Warren that he had been occupied in preparing his apparatus, which consisted of a tube connected with a glass globe. This apparatus he then proceeded to apply, and after four or five minutes the patient appeared to be asleep, and the operation was performed as above

dercribed. To the surprise of Dr. Warren and the other gentlemen present, the patient did not shriek or cry out; but during the insulation of the veins he began to move his limbs and utter extraordinary expressions. These movements seemed to indicate the existence of pain, but after he had recovered his faculties, he said he had experienced none, but only a sensation like that of scraping the part with a blunt instrument, and he ever after continued to say he had not felt any pain. The result of this operation led to the repetition of the use of ether in other cases, and in a few days its success was established, and its use resorted to in every considerable operation in the city of Boston and its vicinity."

This was the 16th of October, 1846, made ever memorable and glorious as long as man shall suffer pain. The report of the Massachusetts General Hospital for 1848 says: "The student who from distant lands, or in distant ages, may visit this spot, will view it with increased interest as he remembers that here was first demonstrated one of the most glorious truths of science."

Dr. Henry J. Bigelow says:

"The operation of that day was incomplete in its results, for reasons to be hereafter indicated. A young man offered signs of sensibility during and after a dissection which was not particularly painful. Some powerful drug already known, or even the imagination, might well have been suspected of agency in the phenomena.

"On the ensuing day a woman offered herself with a tumor of considerable magnitude in the right shoulder. A few minutes of the most complete and passive insensibility served for its extirpation. No imagination was here to be accused. The drooping lid, the head fallen on the shoulder, the stolid relaxation of the mouth, suggested no overworking of the intellect, no rapt unconsciousness, nor inspired ecstasy. The phenomena were real, familiar to daily experience; they belonged to the profoundest sleep. This operation of Dr. Hayward first showed conclusively the power of the new agent in averting the terrors of the surgical art. The casual spectator would have remarked no expression of wonder nor unusual excitement in the bystanders at the working of this miracle. Nothing to awe or startle marred the tranquillity of the operating room. Yet I think those present will not soon forget the conviction of those few moments, associated at this remote day with the breathless silence of the crowd, and the unwonted fumes of aromatics burned to mask the emanations from the yet mysterious agent. After this, to the surprise of Dr. Morton, the practice was discontinued, and for the ensuing three weeks the patients were all operated upon as before, though numerous operations were daily being performed at his own house.

Being desirous of employing it in a case of amputation, Morton applied to Dr. Hayward, then on duty, for an opportunity, as he had heard that there was then a patient requiring that operation waiting in the hospital.

Dr. Hayward says:

"On the first of November I took charge of the surgical department of the hospital; and on the following day, in conversation with Dr. Warren, I stated that I did not intend to allow the medical patients to inhale this preparation of Dr. Morton (for we were then ignorant of the precise nature of it) during my period of service, unless all the surgeons of the hospital were told what it was, and were *satisfied of the safety of using it.* Dr. Warren agreed with me as to the propriety of this course.

"On the 6th of November Dr. Morton called at my house and asked me if I was willing to have his preparation inhaled by a patient whose limb I was to amputate on the following day. I told him of the conversation I had had with Dr. Warren on the subject. Dr. Morton at once said he was ready to let us know what the article was, and to give the surgeons of the hospitals the right to

use it there when they pleased. He added that he would send me a letter in the course of the day to this effect. I requested him to direct it to Dr. Warren, as he was the senior surgeon, and told him that I would submit it to my colleagues at a consultation to be held on the following morning. He wrote the letter accordingly."

"The subject was maturely considered by the surgeons, who were unanimously of opinion that the ether should be inhaled by the individual who was to undergo the operation that day."

The letter was as follows:

"BOSTON, *November 6th*, 1846.

"DEAR SIR: As it may sometimes be desirable that surgical operations should be performed at the Massachusetts General Hospital under the influence of the preparation employed by me for producing temporary insensibility to pain, you will allow me, through you, to offer to the hospital the free use of it for all the hospital operations. I should be pleased to give to the surgeons of the hospital any information, in addition to what they now possess, which they may think desirable in order to employ it with confidence. I will also instruct such persons as they may select, connected with the hospital, in the mode of employing it. This information, I must request, should be regarded as confidential, as I wish for ample time to make such modifications as experience may suggest in its exhibition. It is also my intention to have persons suitably instructed, who will go wherever desired, for a reasonable compensation, and administer it for private operations, thus enabling any surgeon to employ it in his private practice whenever he may have occasion. I think you will agree with me that this will be wiser, until its merits are fuller established, than to put it into the hands of everybody, thereby bringing discredit upon the preparation by its injudicious employment. Should you wish me to administer at any of the operations tomorrow, I shall do so with pleasure; and should the above proposition be deemed worthy of being entertained, I shall be ready to make the arrangement as soon as informed of your wishes.

"W. T. G. MORTON.

"Dr. WARREN."

"PARK STREET, *November 6th*.

"DEAR SIR: I beg leave to acknowledge the reception of your polite letter; I shall lose no time in laying it before the surgeons of the hospital.

"I remain, respectfully, yours,

"J. C. WARREN."

Dr. Hayward, in speaking of this operation, says: "It was my fortune to perform the first capital operation on a patient rendered insensible by the inhalation of sulphuric ether. * * * * * * * It rarely falls to the lot of a professional man to be the witness of a scene of more intense interest. The operating room was crowded; many were obliged to stand. Besides the class of students in attendance on the lectures, numbering more than a hundred, and many of the principal physicians and surgeons of the city and neighborhood, there were present several clergymen, lawyers, and other individuals from the various callings of life. When I entered the theatre, before the patient was brought in, I found it, to my surprise, filled in every part, except the floor on which the table stood, with persons on whose countenances was depicted the almost painful anxiety with which they awaited the result of the experiment they were about to witness. I simply told them that I had decided, with the advice of my colleagues, to allow the patient on whom I was to operate to inhale an article which was said to have the power of annulling pain. The patient was then brought in. She was a delicate looking girl of

about twenty years of age, who had suffered for a long time from a scrofulous disease of the knee joint. It had at length suppurated; there were extensive openings into the cavity of the joint; the cartilages were ulcerated, and partly absorbed; the bones carious, and symptoms of hectic fever had already made their appearance.

"As soon as she was well arranged on the table I told her that I should let her breathe something which I hoped would prevent her from suffering much from the operation, and that she need not be afraid of breathing it freely.

"As the ether was at the time administered by means of a large and clumsy instrument, which required, to some extent, the co-operation of the patient, it was desirable that the amputation should be done as rapidly as possible. Every thing, therefore, was arranged with this view. I decided to perform the flap operation. One person was to compress the artery, another to withdraw the flaps, a third to hand the instruments, and a fourth to watch the pulse. I grasped the patient's limb with my left hand, and held the amputating knife behind me in my right, carefully concealed from her view. The mouth piece of the inhaling instrument was then put into her mouth, and she was directed to take long inspirations. After breathing in this way a short time, the nostrils were compressed, so that all the air that went into the lungs must first pass through the machine, and of course be mixed with the vapor of the ether. She breathed with perfect ease, and without struggling, and in about three minutes from the time the instrument was put into her mouth Dr. Morton said, 'she is ready.' A deathlike silence reigned in the room; no one moved, or hardly breathed. I passed the knife directly through the limb, and brought it out as rapidly as I could, and made the upper flap. The patient gave no sign of feeling or consciousness, but looked like one in a deep, quiet sleep. Every other person in the room took a full inspiration that was distinctly audible, and seemed to feel that they could now breathe again. The second flap was then made, the bone sawed, five arteries were tied, and as I was tightening the ligature upon the sixth and last she groaned, being the first indication of sensibility that had been given. Nothing more was done than to bring the flaps together, cover the stump with cloths dipped in cold water, and apply two or three turns of a roller to keep them in place. Her consciousness soon returned; she was wholly ignorant that the operation had been done. For some time she would not believe it, and said that she had felt nothing till I tied the last artery. The operation lasted a minute and three-quarters, not including the time required to tie the arteries. I did it rapidly, though it has been done in less time, because I feared that the insensibility might pass off, and we had no means then, as we have now, of continuing it as long as is necessary."

Dr. J. Mason Warren says his father, on the day the preceding operation was performed, removed a portion of the jaw from a female, who was also rendered insensible by the ether, also administered by Dr. Morton. The next case was a patient of my own, November 12, in which the patient was entirely unconscious while under the influence of the anæsthetic agent given by Dr. Morton; this was a female at the west end of Boston, in the vicinity of Myrtle street. The operation was the removal of a tumor from the arm. I believe that was the first private operation performed with ether, so far as my knowledge goes. The next time was on the twenty-first of November, on a patient from whom I removed a large tumor of the thigh at the Bromfield House. The ether in this, as in the other cases, was given by Dr. Morton. From this time until March I had a series of surgical operations in private practice, in many of which Dr. Morton was present, and administered the ether.

Another important case that soon followed was that of a man at an advanced age, who was afflicted with a paralysis of the lower extremities, owing to a disease of the bones of the spine.

For the relief of this, and to prevent the extension of the disease in the bones,

it was decided necessary to cauterize him with the actual cautery the whole length of the back, on each side of the spine. How painful this would be, unless with the sensation benumbed, the slight burn of a finger can give some idea. He inhaled the ether, and soon was lying in a quiet and easy slumber. Then the surgeons taking the irons, heated to a white heat, passed them over his white and tender skin. As the hot iron hissed, and the flesh, blackened by the intensity, shrunk crisply away before it, without one groan or movement from the patient, the enthusiasm of those present knew no bounds, and had it not been for the stillness demanded in the place, and the exigency of the occasion, they would so far have forgotten all propriety as to have broken out into tumultuous applause; nor was this subdued when the patient, on his return to consciousness, declared himself ignorant of the performance of the operation, and informed the bystanders that he had experienced a most delightful dream, and had experienced more agreeable sensations than he had felt for many a day.

Dr. Bigelow says: "A hundred promiscuous cases rapidly occurred; often in the face of hundreds of spectators, not one of whom attributed the results to deception or imagination. The mass of evidence swelled as it rolled onward, month after month, to every part of this country and of the civilized world; and yet in November, 1847, more than a year after the discovery, we find it stated that in one of the largest hospitals in North America ether 'had not been tried at all.'

"For the sake of humanity, if not of science, it is to be hoped that no hospital gates are barred against ether at this late day."

"The success of the discovery is very encouraging and its application extensive. It made its mark immediately, fixed and indelible, on the records of the medical faculty of the world. The report of the experiments in the medical hospital of Boston was received with delight in England and on the continent by the most enlightened members of the profession, and sulphuric ether and its kindred ethers were immediately adopted and took their place in medicinal practice as anæsthetic agents. They have been adopted in our army and navy, and no sum, though told by millions, would compensate for their loss or abandonment at this day. The value of the gift made by Dr. Morton to his country is, indeed, incalculable. But in its results involved the ruin of his private fortune."

Augustus A. Gould, physician, Boston, being sworn, says:

"Invaluable. It would amount to an immense sum if each one who undergoes an operation would contribute what he would pay rather than dispense with it. I am unable to fix a money value upon it."

Henry J. Bigelow, physician and surgeon, Boston, being sworn, says:

"A million dollars a year as well as any other sum, because the revenue derived from those who should be compelled either to forego its use or to pay for it would be immense, incalculable."

Jacob Bigelow, physician and surgeon, Boston, being sworn, says:

"I conceive its value to be such that if it was only to be purchased with large sums of money, millions of dollars would readily and properly be paid by persons who are subjects of the pain it is competent to avert or relieve."

J. Mason Warren, physician and surgeon, Boston, being sworn, says:

"If you mean in money, I consider it at least one hundred thousand dollars. But its value is beyond all money; it is beyond computation. When I say one hundred thousand dollars, I mean that I think that is more likely the sum which perhaps might be given Dr. Morton as a recognition of his share in the discovery, just as Dr. Jenner received about such a sum for vaccination. I think if it was shown that more than one was concerned in the discovery, each ought to have a hundred thousand dollars."

H. Q. Brigham, surgeon dentist, being sworn, says:

"Five hundred thousand dollars."

E. B. Warner, house physician to the northern dispensary in the city of New York:

"It is of immense value, and its worth is beyond comprehension in dollars and cents."

John H. Griscom, M. D., New York, being sworn, says:

"The pecuniary value of said discovery cannot be estimated, being beyond all calculation, as is that of human life and the relief of human suffering."

John Torrey, chief assayer at the United States assay office and consulting chemist:

"It is extremely difficult to estimate its value in money. I have said that Dr. Morton ought to have a monument of gold as high as Trinity church steeple, and I see no cause to alter my opinion."

Robert F. Weis, M. D., surgeon to the New York hospital, in the city of New York:

"Its value is incalculable."

Godfrey Aignes, M. D., house physician to the New York dispensary, New York, being sworn, says:

"The value cannot be expressed in money, but it is a great blessing to mankind."

Jonas P. Loines, house physician to the eastern dispensary in the city of New York, being sworn, says:

"The discovery of its use is, as anæsthesia, worth in the neighborhood of one million and a half dollars, so far as can be known, to this country."

Isaac Cummings, house physician to the Demilt dispensary, city of New York:

"The value of said discovery is one million dollars and upwards."

J. Henry Watts, house physician to the northwestern dispensary in the city of New York:

"The value of said discovery is incalculable and has been a great blessing to mankind."

From the first, and for several years in private practice, and in many public institutions, it met with the most determined and persistent opposition. By some its efficiency was denied; by others it was declared to be a poison, which, if not fatal at once, led in the result to fatal consequences. On this point Dr. Henry J. Bigelow says:

"Subsequently to the discovery of ether, and not a great while after, I mean the discovery of ether inhalation, there was a very great difference of opinion; first, as regards its safety. Many people maintained that it was dangerous. Some eminent surgeons have pertinaciously, and in the most surprising manner, adhered to this opinion to the present day, objecting to its use. At an early period certain religious grounds were urged against its adoption. Dr. Morton, as far as I know, uniformly and perseveringly urged it upon the medical profession and upon the world."

Dr. Gould says:

"34th. Was there, or not, and how long, any, and how great, effort made against the use of ether?

"Ans. There was a strong prejudice against it in this city, and more especially elsewhere; the administration of it was denounced generally, and many articles were written against it in the medical and daily journals. I don't know any particulars further than writing articles and denunciations in private conversations."

"There was much indignation and disapprobation from the profession, especially the dentists, and also in several instances by patients. In one or two instances prosecution was threatened, not particularly on account of the mode of administration, but for administering it at all." The preconceived notions and settled theories of the physicians were sadly jostled. Not a few grew irritable and resented the interference. They closed their ears, shut their eyes, and folded their hands. They refused to touchor in any way pollute them selves with the unclean thing. They had quite made up their minds that pain was a necessary evil, and must be endured. They scouted the attempted innovation. and averred no good could come of it.

Says Dr. Bigelow:

"It has been well said that the first attitude of the world towards a great discovery is incredulity, and then hostility; and this was well exemplified in the reception of this announcement at the south. Three weeks elapsed before any notice of the subject appeared. Then came the doubts of those sagacious and experienced philosophers who were not easily to be deceived."

In January, 1847, a New York medical journal announced that "the last special wonder has already arrived at the natural term of its existence. It has descended to the bottom of that great abyss which has already ingulfed so many of its predecessor novelties, but which continues, alas! to gape until a humbug yet more prime shall be thrown into it."

The New Orleans Medical Journal says, in the same month: "That the leading surgeons of Boston could be captivated by such an invention as this excites our amazement." "Why, *mesmerism*, which is repudiated by the *savans* of Boston, has done a thousand times greater wonders."

A leading medical periodical in Philadelphia says: "We should not consider it entitled to the least notice, but that we perceive, by a Boston journal, that prominent members of the profession have been caught in its meshes." It was "fully persuaded that the surgeons of Philadelphia would not be seduced from the high professional path of duty into the quagmire of quackery by this will-o'-the-wisp."

In November, 1847, more than a year after the discovery, it had not been tried at all in the Pennsylvania hospital, one of the largest in North America. The council of Zurich prohibited the use of ether. Congress withheld its agency when it might have assuaged the agony of the wounded soldier.

Even the Massachusetts General Hospital, within whose halls his inaugural experiments were made, and to which he had an especial right to look for support and encouragement, began to regard the discovery with distrust, and, with many other institutions of like character, temporarily barred its doors to the new agent.

Objections based on religious grounds were urged against the employment of ether. Pain, it was argued, was the natural and intended consequence of the primal sin, and therefore any attempt to do away with it must be wrong. These objectors failed to see that their argument, if it proved anything, proved too much, since it held with equal cogency against any remedial agency whatever, and, indeed, if carried into theology, would undermine its very central doctrine, redemption. Others opposed the anæsthetic on the ground that pain was salutary, and that its annihilation would be hazardous to the patient. And an eminent physiologist expressed the doubt whether there were a true advantage in suppressing pain. "It is a trivial matter," said this stoic, "to suffer, and a discovery whose object is the prevention of pain is of slight interest."

In Paris the announcement of the discovery was received with all but indifference. Velpeau, Roux, Magendie, and others, politely declined using the discovery.

Letters came pouring in upon Dr. Morton from all over the civilized world, many of them upbraiding him with having announced the claims of a humbug. The Parisian academicians charged him with prematurely publishing his dis-

·. He received constant visits from professional gentlemen, who consumed ıe with speculative doubts, questioning the accuracy of his experiments, and ing the complaints of antagonists. Worse than this, it was alleged that the gent might be used for infamous purposes. "A fatal habit," it was said, sprung up of using ether, like opium, for purposes of exhilaration, to all in- ıntoxication. A burglar forced his way into a mansion when all its occu- were wrapped in profound slumber, and, applying ether to them, he had ıuse all to himself." Frequent accidents, moreover, resulted from the use ıure ether by unskilful hands, so frequent, indeed, that prosecution was ened for administering it at all. Meanwhile, all eyes were turned on Dr. n as the responsible person and he felt that something must be done, some re step be taken, and at once, or the discovery would fall into disrepute e abandoned. He stated in substance in his memoir to the French academy he result of a thoughtful consultation was that no better means could be d to rigidly confine this new and powerful agency to professional hands, omed to the necessary precautions, than the procuring of a patent. This prevent quacks and the public from tampering with danger, and, at the time, he might give free permission to hospitals, charitable institutions, uly qualified persons, to use the article without infringement. He never ed that government would take the patent out of his hands as soon as the good required it, making him such reimbursements as justice should e. At any rate, he was determined to stem the tide that was setting st the use of ether, and it was due to his family to secure his title against erence from ex post facto claimants who might arise. The patent was these circumstances procured, and simultaneously with its reception, he through the late John C. Warren, free permission to such hospitals and ıtions as he chose to name the free use of ether. The patent, however, lied a few only of these evils; most of them continued in their full intensity ıfter it was procured.

ɔm the first, and for many years, Dr. Morton made vigorous exertions to luce his discovery to the public, and to promulgate information of the same ɔf its benefits, and the best modes of applying it. Believing that the ion of publications, setting forth its characteristics, and its best mode of ı and effects upon the human system, and describing the apparatus then dered requisite to its successful administration, would be the most effectual s of bringing his discovery to the knowledge of the public, he, at great ıse, caused large amounts of information to be printed and circulated, not in all sections of the United States, but in Europe. The effect of these cations was to almost immediately attract general attention to the discovery, ı was everywhere discussed and investigated, and Dr. Morton was stimu- to increased exertions in verifying and permanently establishing the novel ·onderful truths which he proclaimed. Some idea of his persevering labors be formed from the following extracts from the testimony of Richard H. ;, esq., now United States district attorney for the district of Massachu- and Peleg W. Chandler, esq., ex-city solicitor of Boston, a distinguished ɔer of the Suffolk bar:

chard H. Dana, counsellor-at-law, Boston, being sworn, says:

am familiar with it. I have known of unceasing efforts of Dr. Morton ·ing forward the discovery and to vindicate his claims relative thereto. as constantly been making such efforts; he has followed the matter up with lerful energy, and has encountered difficulties which I think would have ıed almost any other man. I have always thought that a distinguishing in him has been that he had the courage, I may say the hardihood, to per- ·e in his experiments with sulphuric ether, in a manner which almost any person would have feared to adopt, until he had demonstrated that it

might be used with entire safety, and would produce the effect of absolute insensibility."

Peleg W. Chandler, counsellor-at-law, Boston, being sworn, says:

"From what I have seen and heard in this community, I have no doubt that he has devoted himself mainly to the subject referred to for many years, with great industry, perseverance, zeal, and ability, and he seems to have labored under every discouragement."

"Whatever may have been the personal merits of his discovery, I do not believe it would have been in use to this day if he had not followed it up as he did."

"Doctor Morton met with embarrassments enough to dishearten most men. I have always felt that his remuneration for the vast benefit to the world conferred by his discovery has been totally inadequate. For one, I feel, and always have felt, grateful to him as one of the greatest benefactors of mankind of the present age."

As it was obvious that until the nature and mode of applying said discovery was more fully understood, than was practicable upon the first introduction thereof, it might fail of success, by reason of ignorance or inexperience on the part of those attempting to employ it, Dr. Morton found it necessary to engage experienced assistants, instruct them in the application of his discovery, and send them forth over the country, to bring it to the notice of medical and surgical men. These parties he provided with the expensive inhaling apparatus then used, and with large quantities of high priced ether, it being necessary that it should be chemically pure, in order to produce proper anæsthetic effects. The assistants themselves were generally young physicians, of professional education, good talents, and social position, calculated to personally inspire confidence where the discovery might be regarded with distrust. Many of them relinquished their private practice to thus aid in disseminating information respecting the discovery, and had to be well compensated, in addition to the payment of their heavy travelling expenses, and to the cost of the ether and the apparatus with which they were supplied, thus adding large expenditures to those otherwise incurred. One of Dr. Morton's assistants, a nephew of Dr. John C. Warren, on whose recommendation he was engaged, testified as follows, concerning the expenditures of the introduction and the promulgation of the discovery:

Edward Warren, being sworn, says:

"From my actual knowledge, while engaged in behalf of the applicant, as before stated, and from information otherwise received, I state that from the time of said discovery, for the period of two years or upwards, Dr. Morton has spent nearly all his time, strength, and energy in the most constant and strenuous exertions to introduce said discovery to the public, and the result of all which was that the applicant's business was utterly destroyed, his health materially injured, and he was irrecoverably involved in debt. For the purpose of introducing said discovery he has employed many other persons, and procured to be composed and published many pamphlets and other documents, for all which he has paid large sums of money, as well as in travelling and hotel expenses, counsel fees, and for a great variety of other services performed by different persons in the same matter. *The whole past fourteen years* have been devoted by him almost exclusively to this discovery."

As Dr. Morton's practical acquaintance with etherization became more extended, he ascertained that the inhaling apparatus, which was elaborate and expensive, was not, after all, necessary. In Paris, as stated by Dr. Henry J. Bigelow in his pamphlet entitled "Ether and Chloroform," experiments, the majority of which had been failures, were successful when Dr. Morton's inhaling apparatus arrived, and not until that apparatus had been used did those great

surgeons, Velpeau and Roux, declare, in the presence of the two academies, that the discovery was "a glorious conquest for humanity." Yet soon afterwards Dr. Morton demonstrated that the simple application of a sponge, saturated with ether and applied directly to the mouth and nostrils of the patient, was the most satisfactory mode of administering the vapor. Personally this was to him a loss, as there was no use for the apparatus purchased or contracted for by him, and either on hand or in process of manufacture. This appears by the following testimony of Joseph Burnett, esq., a leading druggist and chemist of Boston, and of O. P. Drake, esq., a maker of philosophical and chemical apparatus:

Joseph Burnett, being sworn, says:

"Interrogatory 5. State whether you have examined all the items of said account which purport to be charges for 'inhaling apparatus,' or portions thereof, or work thereon, and whether, from your knowledge of the information existing at the respective times said charges are dated, on the part of Morton or any other person, the sums so charged for the items named were deemed necessary or reasonable to bring said discovery before the public. Also state what was the character of your said knowledge.

"Answer. In my opinion, from the information I had on the subject generally, at the time, I should say they were not unreasonable for the purpose mentioned, having in view the fact that at first there was opposition to the ether, and that it seemed to be necessary to give unusual facilities to medical people, such as furnishing them with apparatus without charge, &c., to induce them to test the discovery. I give this as opinion merely. I have examined the items inquired about. My knowledge was derived from being quite conversant with the early history of the ether discovery."

O. P. Drake, apparatus and instrument maker, being sworn, says:

"Answer. I do. He did make great attempts. He spent a great deal of money in them, and lost a great deal. They commenced about the time I first knew him. They were continued whenever I had any knowledge of him. He had a large establishment in Tremont Row, and operators there to introduce the discovery. If it had not been for these efforts the thing never would have been introduced, perhaps, for a long time. They were exceedingly persistent and earnest; very much so."

A. E. Giles, being sworn, says:

"Answer. Yes; I have. In 1847 I first knew of his efforts in this behalf. I was employed by him, and know that his efforts have been persistent and continuous. They have been attended with great expense, time, and labor, with no satisfactory or adequate results. I conceive this discovery to be the most important and beneficial to mankind of the present age. Difficulties arose because people generally had, at first, the idea that the inhalation of sulphuric ether was dangerous. I have always considered that the perseverance of Doctor Morton in introducing the discovery to the world was the main thing which ultimately overcame the opposition to it arising from the cause named."

During the whole of the time above referred to, Doctor Morton was continually having circulated through this country and Europe printed publications calculated to bring his discovery into use, and was procuring the publication of articles in leading journals, setting forth the benefits of his improvements. He personally visited several of the principal cities of the United States in order to confer with practitioners who were adopting his discovery, and he kept up an extensive correspondence in which he indicated the safety and urged the general use of etherization. From the testimony of several editors and publishers showing the extent and variety of Doctor Morton's labors in promulgating his information, the following extracts are made:

Elizur Wright, now insurance commissioner, but well known as an ex-editor, being sworn, says:

"2d interrogatory. Have you any knowledge of any efforts, at any time, made by said Morton to introduce his said discovery to the public, to give the latter knowledge of it, and to bring it into general use? If yea, how long since did such efforts commence, to your knowledge? How long were they continued? What has been their character as respects earnestness and persistence? With what success have they been attended? If you know, state fully.

"Answer. I have. They commenced in about 1846. They have been continued ever since, so far as I know, and I have known up to within two or three years. They have been zealous, indefatigable, and enthusiastic. They must have given great knowledge to the public about the discovery. He has published reams about it. I have written, myself, I suppose, a dozen articles in relation to it.

"3d interrogatory. Do you consider said Morton a man of energy and persistence of character? Has he, so far as your knowledge extends, displayed those qualities in a marked degree, in bringing said discovery into public use? If yea, state what, in your opinion, would have been the result as to said discovery, had the same not been kept persistently before the public by said Morton.

"Answer. He is a man of great energy. I think he has. It might have been made by others, but it wouldn't have been brought into use so soon but for Morton."

Samuel M. Hobbs, late editor Boston Atlas and Bee, being sworn, says:

"I do know a great many such efforts. They commenced about the time I first knew anything about him. They have been kept up, to my knowledge, ever since, up to a short time. He has driven the matter just as hard and as energetically as a man could all the time I have known about him. They have met with the success of bringing the discovery very prominently before the public."

David Clapp, printer and publisher of Boston Medical Journal, being sworn, says:

"I was familiar with his efforts when he was here. These efforts commenced about the year 1846. They were continued whenever I knew anything about them. He always seemed to be very much engaged in them, and persevered constantly. So far as I know, I think they certainly had the effect to draw great attention to the discovery on the part of the public.

"Answer. I do; more than the average. Yes, I should think it had. I should think it would not have been known without his efforts. In 1847 Dr. Morton brought his discovery before Congress, and urged its adoption into the medical department of the United States armies engaged in the Mexican war. The committee to whom the subject was referred, however, terminated their investigations on the reception of a few letters unfavorable to the discovery, written by those who were beginning to zealously array themselves against its adoption. So anxious was Dr. Morton to give the soldiers and sailors engaged in the campaign the benefits of etherization that he urged its adoption in the War and Navy Departments, stipulating that each administration of the vapor should cost but one or two cents. Owing to the professional distrust with which all innovations on old-established practice are regarded, this offer was also rejected."

Indeed, nothing but the most persevering and determined efforts on the part of Dr. Morton prevented the disuse of the discovery. For weeks after the two public trials at the Massachusetts General Hospital there was no application of etherization, and patients were operated upon as before. But the enthusiastic discoverer was determined that the public should enjoy the inestimable blessings of his discovery, and he fitted up, at his own expense, apartments for its appli-

tion. By the payment of a considerable bonus he obtained the immediate surrender of the leases of a building adjacent to his office in Boston, which he immediately had properly furnished and prepared for the performance of operations upon all who might desire to submit to them under the novel effects of etherization. At the same time he engaged several assistants to take charge of and to perform such operations; and as they were nearly all educated physicians, he was compelled to compensate them liberally for their time. Yet the remuneration received by him from patients was but little or nothing, as until the success and safety of the discovery became firmly established, the large number of those who submitted to etherization did so either from curiosity or at the earnest solicitation of Dr. Morton or his assistants.

By the efforts and expenditures which have been briefly detailed, Dr. Morton was apparently succeeding in bringing his discovery before the public, when he was arrested by a formidable opposition, which, for a time, paralyzed his exertions, and involved him in pecuniary embarrassments of a ruinous nature. This opposition first manifested itself in an organized attack upon him and his discovery by a large number of the dental profession in Boston. This attack, and the opposition from this source, was followed up for a great length of time with persistent virulence, its originators asserting and professing to cite authentic and conclusive instances of actual cases in which ether had produced the most dangerous effects upon patients who had been treated with it. Published matter was circulated by these parties throughout the country, with the design and result of stirring up a general feeling of distrust and hostility. To such an extent were these measures carried that in a short time a violent tide of public feeling was excited against said discovery; to overcome which his time and efforts were required for a protracted period. Widely circulated articles in leading medical journals in different parts of the United States were published setting forth the danger of the new agent, and strongly urging the abolition of all use of it on the part of the medical profession, and the discountenancing of it by the public at large. In consequence of the general suspicion aroused by these persistent and systematic attacks, Dr. Morton speedily found the public feeling growing hostile to his discovery, and to such a degree that in a short time he found himself deserted by his patients. Hence he was forced to relinquish his apartments, and as he had received but a trifling recompense, as has been already stated, for operations therein performed, the expense incurred by the purchase of the lease and the cost of fitting up left him in an embarrassed condition, while he was the object of widespread and virulent attacks, and his discovery was heralded as not only worthless, but as injurious. These facts are fully substantiated by a large amount of testimony from leading physicians, surgeons, and business men of Boston, from which a few extracts are selected:

Henry J. Bigelow, M. D., physician and surgeon, Boston, being sworn, says:

"New experiments, and many of them, were to be made. Great probable danger was to be encountered and great responsibilty assumed, even to the extent that had Dr. Morton killed somebody with the new agent, of which Sir Benj. Brodie long after said that 'it had killed guinea-pigs, and that the great question was whether it was safe,' he would very likely have been indicted for manslaughter, in rashly and ignorantly experimenting with an untried and powerful agent.

"He has always been full of it. Before it was generally adopted he did, I should think, everything which a man could to introduce it."

Augustus A. Gould, physician, Boston, being sworn, says:

"There was a strong opposition to it in this city, and more especially elsewhere. The administration of it was denounced generally, and many articies were written against it in the medical and daily journals. I don't know that any

thing further was attempted than writing articles, and denunciations in private conversations.

"Dr. Morton wrote and talked too. I have seen several pamphlets prepared. I suppose, at his instance and at his expense.

"While he boarded with me, which was two or three months during its earliest administration, he was overwhelmed, day and night, in managing the administration and introduction of ether. He became very nervous, and lost strength. As to his business I have no acquaintance.

"There was much indignation and disapprobation from many of the profession, especially from the dentists, and also in several instances by patients. In one or two instances prosecutions were threatened, not particularly on account of the mode of administration, but for administering it at all, and for the injurious effects supposed to be in consequence."

Joseph Burnet, druggist and chemist, of Boston, being sworn, says:

"Interrogatory 7. How much of Dr. Morton's time was devoted to the introduction and defence of ether during the first six months or year after its introduction?

"Answer. I should say almost entirely.

"Interrogatory 8. What had been the state of his business up to that time? What effect had these labors of his upon it?

"Answer. It had been at times very flourishing, and was, I think, a growing business. These labors of his injured his business, of course. He neglected it, and it fell off.

"Interrogatory 9. Had his labors in the matter of ether any, and what, effect on his health?

"Answer. It injured his health and affected his whole nervous system—this constant excitement. It rendered him weak, so much so that he was obliged to employ a physician; he took medicine at that time, and active remedies.

"Interrogatory 10. Whether or not, after the introduction of ether, Dr. Morton enlarged his premises, and had numerous assistants whom he had not before had?

"Answer. Yes; he enlarged his premises, and I remember two or three extra assistants.

"Interrogatory 11. Whether or not, after the introduction of ether, Dr. Morton's rooms were thronged by persons who wished to avail themselves of the painless extraction of teeth?

"Answer. A great many persons went there to have their teeth extracted without pain. I never saw his room filled.

"He labored very constantly and very energetically in employing agents, publishing books, and advertising. There was a feeling of considerable hostility on the part of the dentists towards Morton. They held a meeting or meetings on the subject, and published a circular, which I heard one of Morton's agents say he met with in almost every State of the Union."

In order to refute the assertions of his opponents, and to overcome the opposition to the more general introduction of his discovery, Dr. Morton the more industriously put in circulation facts demonstrating its value. The mass of information received by him in letters from scientific men and eminent practitioners at home and abroad, the regular reports made to him by his own professional assistants throughout the country, with the results of his own practice and continued researches, were all carefully digested and at once published. He thus disseminated a large amount of new and valuable information at brief intervals, which convinced the most sceptical, instructed those professional men who were disposed to use the newly discovered agent, and indoctrinated the people of the Old and New World with a well-founded faith in the use of anæsthetic agents. Many medical men in the United States who had at first looked

with distrust upon what they regarded as an innovation on their established system of practice, now frankly admit that they were forced to change their opinion by the reports on etherization which emanated from the leading surgeons and physicians of Europe, at once republished and circulated throughout the United States by Dr. Morton and those whom he had enlisted in promulgating the new discovery.

The cost of preparing and of distributing these documents, the necessity for them existing, as before said, for an extended length of time, was very great, and there is abundant evidence that but for Dr. Morton's indefatigable efforts at this time, involving the ruin of his health, his professional practice, and his pecuniary means, the discovery would have been driven out of use, and the public would have been deprived of its benefit. These assertions are thus established:

George Hayward, M. D., being sworn, says:

"Ever since I have known Doctor Morton he has seemed to me to think of nothing but ether, and of making the world admit his claim to a proper proportion of the merit of the discovery. I consider that his labors to give the benefit of it to the public could hardly be exceeded by any one."

J. Mason Warren, physician and surgeon, Boston, being sworn, says:

"I have known considerable about such efforts, and they have always, as far as my means of information extended, been earnest, persistent, and well calculated to effect a speedy recognition of the value of etherization. It early became widely adopted, and since then he has, when I have seen him, been constantly engaged in establishing his right to his preponderating share in making the discovery."

Theodore Metcalf, of Boston, being sworn, says:

"I have known of frequent attempts by Doctor Morton of the nature inquired about. From the first of his bringing out said discovery, I have had knowledge that he devoted himself to it constantly, pursuing the matter unceasingly and with unflagging energy—I may say enthusiasm. Indeed, I have never known anything about him when he has not seemed entirely wrapped up in etherization. He has constantly been working, and writing, and publishing about it."

Robert J. Burbank, counsellor-at-law, Boston, being sworn, says:

"Dr. Morton did make great efforts, in the winter of 1845–'46, to introduce to the public his discovery, and he has been active in such efforts ever since. He is a man of *very great* energy, and in my belief he has applied himself with *all* his energy to the introduction of his discovery to the public."

J. P. Putnam, being duly sworn, says:

"Ever since I have known anything about him, he has been wrapped up in etherization, doing all he could to push it, and to establish his rights to his share in making it."

Medical men now admit the value and importance of the discovery in glowing language. The venerable and sage Doctor Warren, who performed the above operation, says:

"A new era has opened to the operating surgeon! His visitations on the most delicate parts are performed, not only without the agonizing screams he has been accustomed to hear, but sometimes with a state of perfect insensibility, and occasionally even with the expression of pleasure on the part of the patient. Who could have imagined that drawing the knife over the delicate skin of the face might produce a sensation of unmixed delight? That the turning and twisting of instruments in the most sensitive bladder might be accompanied by a beautiful dream? That the contorting of anchylosed joints should co-exist with a celestial vision? If Ambrose Paré, and Louis, and Dessault, and Ches-

selden, and Hunter, and Cooper, could see what our eyes daily witness, how would they long to come among us and perform their exploits once more! And with what fresh vigor does the living surgeon, who is ready to resign the scalpel, grasp it, and wish again to go through his career under the new auspices!"

The grave and sedate Liston says:

"Hurrah! Rejoice! Mesmerism and its professors have met with a 'heavy blow, and great discouragement.' An American dentist has used ether (inhalation of it) to destroy sensation in his operations, and the plan has succeeded in the hands of Warren, Hayward, and others, in Boston. Yesterday I amputated a thigh, and removed, by revulsion, *both* sides of the great toe nail, without the patient being aware of what was doing, so far as regards pain. The amputation-man heard, he says, what we said, and was conscious, but felt neither the pain of the incisions, nor that of tying the vessels. In short, he had no sensation of pain in the operating theatre. I mean to use it to-day, in a case of stone. In six months no operation will be performed without this precaution."

The importance of Dr. Morton's discovery having thus been fully established, it speedily met with the recommendation of the medical officers of the national government, and was, by the authorization of the proper departments, introduced into the public service in the army and navy, but without any compensation being then or ever made to him for such appropriation, and without reference to the careful protection thereof which he had secured by the letters patent.

Although the public, when apprised of this disregard by government of its own promised protection of the rights of the discoverer, at once commenced to avail themselves of the discovery, Dr. Morton had secured a great advantage from his letters patent. Had it been known that all could administer and experiment with the then mysterious agent, when its marvellous power was first announced, and before it had been fully and fairly tested by scientific men, the most disastrous results might have followed.

John C. Warren, p. 34, "Etheresatia," 1847, says: "It was proposed in France to pass an ordinance to prohibit the sale of ether, excepting under the prescription of a physician." (For reasons more particular, see p. 33, same as above.) While protected by the letters patent, this agent was wholly in the hands of professional men, instructed by Dr. Morton either in person or through his assistants, and care was taken that only a pure article was used. Accidents, which might have been frequent and fatal if quacks and pretenders could have used the discovery, without instruction or information, were guarded against, and the employment of so dangerous an instrument by burglars or other criminals was effectually prohibited.

Having perfected his discovery, surrounded it with scientific safeguards, and received the indorsement of the leading practitioners of Europe and America, Dr. Morton had no longer any desire for protection against what otherwise might have been a fatal and pernicious use of the agent which he had so carefully introduced for the relief of suffering humanity. Desirous that it should be widely and generally used, he had ever felt that he would receive his reward from the nation rather than from individuals, and that the profession and the public would regard the mere question of patent as very insignificant compared with the discovery itself, or the gratitude due for it; besides, a patent in the profession to which Dr. Morton belongs is not the subject of unfavorable comment.

No sooner was it conclusively established that Dr. Morton had discovered a remedial agent, of priceless value to suffering humanity, and that it had been appropriated by the general government, than the medical and surgical staff of the hospital in which he made his inaugural experiments united in an appeal to Congress that he should be reimbursed for his great outlay of money, and

appropriately remunerated for the great boon which he had conferred, not only upon the nation, but upon the world.

Much has been said, when speaking of the difficulties under which Dr. Morton has labored, of the pecuniary losses which have resulted to him in consequence of the discovery. It has been stated in broad terms that they were heavy, but the figures of the sums themselves can alone furnish a proper realization of how large these were:

William T. G. Morton in account with his discovery, from October, 1846, *to* 1863, *Dr.*

1847: Translating and publishing several editions of report of American cases and other documents for use abroad, with expenses of their transmission, with ether and apparatus, together with postage, freight duties, and cost of foreign correspondence..	$2, 860
Various professional and scientific men, for services rendered in promulgating discovery, collecting cases, demonstrating value where opposition existed, together with their travelling expenses*	3, 162
Various literary gentlemen, for procuring favorable opinions of the press, preparation of replies, and other papers, with salary of private secretary	2, 100
Printing and publishing of papers and pamphlets during introduction of discovery, newspaper articles, circulars, &c., &c.	4, 326
Ether distributed among professional men†	2, 640
Apparatus distributed among professional men‡	3, 060
Apparatus remaining unsold	2, 000
Deficiency in patent account§	2, 000
Hotel and travelling expenses from time of discovery to date, with hack-hire, telegraphing, expressing, &c., &c., $1,000 per annum‖	17, 520
Printing and publishing, &c., from 1847 to date¶	5, 999
For services, to Messrs. Webster, Choate, Carlisle, Curtis, Whiting, Dana, Cornwall, and others, together with advice and other services rendered	12, 550
Expenses for testimony *in perpetuum* at Boston, Hartford, and other cities, including examination of witnesses, drawal of papers, travelling expenses, &c	4, 870

* These were usually young physicians, who, whenever a fatal case or non-success was reported, as was constantly being done during the days of opposition, were instructed in the method of administration, and sent by Doctor Morton to counteract the feeling. Visits were paid by them to New York, Philadelphia, Montreal, and even some of the cities of the far west.

† This will not seem so surprising when it is recollected that at the time Doctor Morton made his discovery, the article called pure washed sulphuric ether was scarcely found outside of a chemist's laboratory. As there was no call, and but seldom any use for it, few druggists kept it in their stores. During the first year after the discovery, it was prepared expressly for Doctor Morton, and this, with the strong bottles manufactured for its safe transmission, cost nearly one dollar per pound.

‡ The inhaling instruments, at first, cost about $25 apiece; but by gradual alteration, and by making large contracts, the price was afterward reduced to $7 or $8.

§ As a few licenses were sold to members of the dental profession, where a patent is not the subject of comment, Doctor Morton's patent agent kept an account of expenses and the receipts. This item shows the result.

‖ Large as this sum is, it by no means includes all the expenses Those who have endeavored to push a claim before Congress, or have lived winter after winter at Washington, can fully appreciate why it should be even much more.

¶ Items not classified.

Recording of testimony in Boston	$169
Cost of manufacture of nitrous oxide gas for experiment at Washington*	50
Expense for testimony of medical and surgical, literary, scientific, and other gentlemen, also assistants to aid in collecting the same, stationery, copying, printing, binding, postage, and distributing the same to still further refute opponents, overcome opposition, expense of the suit suggested by the President of the United States as a prerequisite to paying Doctor Morton	10,255
Interest	42,000
Sacrifice of income 17 years, proved to be worth $10,000 per annum, but put down in this account at only one-half that sum†	85,000
Total	200,561

Joseph Burnett, esq., a chemist of Boston, testifies as follows:

"Interrogatory 8. What had been the state of his business up to that time? What effect had these labors of his upon it?

"Answer. It had been at times very flourishing, and was, I think, a growing business. These labors of his injured his business of course. He neglected it, and it fell off."

In this condition of things, the petitioner, on the 23d of February, 1849, filed his petition in the House of Representatives, asking compensation for his services to his country in the discovery and the surrender to the public use this most important medicinal agent. The matter was fully and carefully investigated, and the committee, after a most careful consideration of the matter, expressed the opinion that the said petitioner was the true discoverer, but referred the question of compensation to the House, and nothing more was done about it.

In the year 1852 he again petitioned, and after a very thorough examination, a select committee of the House agreed to and drew up a report in his favor, which was not actually presented to the House for want of time, but was certified to by the Clerk of the House of Representatives. The report so prepared considered the evidence as to each and all the claimants, and concluded in favor of the claim of Dr. Morton. They prepared a bill for his relief, but the business of the House rendered it impossible to present it. In their prepared report the select committee say: "The committee of the House of Representatives and the Military and Naval Committees of the Senate fully concur in the recommendation."

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* This was for the trial demanded by Doctor Morton to disprove to the satisfaction of the congressional committee the claim of Horace Wells, by showing the inert character of the agent for the purposes of anæsthesis.

† This sum is probably much below the truth The gross receipts of Doctor Morton, from his business, have been shown in a previous chapter. On the 1st of May, 1847, (that is, but a few weeks before his business was ruined by the causes before stated,) an agreement was made with Messrs. Blaisdell & Hayden, by which they were bound to pay Doctor Morton 50 per cent. on all the gross receipts from the business then on hand and to come, he to be at no expense for rent, materials, tools, &c. One item of the business, then under way, and mentioned in the agreement, was twenty full sets of teeth, valued at about $4,000. The books of Doctor Morton were examined for three successive years previous to his discovery, and the net profits were found to be ten thousand per annum. Doctor William Leavitt, who kept Doctor Morton's books several years, says he always understood his practice was worth about ten thousand dollars per year Only one half of the stated amount of income is estimated in the above account; this for seventeen years would amount to $85,000, the item in the account.

The chairman of the select committee, finding it impossible to get the bill up in the House, and feeling the great wrong of withholding remuneration from one who had done so much for the public service, addressed a letter to the chairman of the Committee on Naval Affairs of the House of Representatives, the object of which was to urge upon his consideration the practicability and propriety of attaching the bill so by him prepared to the military and navy appropriation bill for the then ensuing year. The chairman of that committee addressed a letter to the Secretary of the Treasury, the War, and Navy Departments, from whom he received replies, stating their opinion of the vast value of the boon conferred upon his country by Dr. Morton, accompanied by a report from the chief of the Bureau of Medicine and Surgery of the navy. The matter was submitted to the consideration of the Military and Naval Committees of the Senate, and each, by resolution, recommended an amendment to the army appropriation bill in following words:

"To enable the President of the United States to procure the surrender of the patent issued to Wm. T. G. Morton, on the 12th day of November, 1846, for his discovery of the anæsthetic properties of sulphuric ether, one hundred thousand dollars."

Which resolution was moved in the Senate by Dr. Borland, but being out of the usual course of business, was lost, leaving the matter again at large, the claim, however, supported by the opinion of the Military and Naval Committees of the Senate.

Early in the second session of the 32d Congress, 1852, the subject was brought before the Senate on the memorial of Dr. Morton, and later in the session upon petition of the members of the Massachusetts Medical Society, on which, as on former occasions, counter claims were presented. The chairman of the committee having examined the case, very fully expressed a reasoned opinion in favor of the claim of Dr. Morton; but the accumulated evidence then amounted to over 1,000 pages, and as there was not time to discuss and settle the question fully in the two houses, it was determined, at the suggestion of the petitioner, that an appropriation should be made for the benefit of the discoverer, the title to discovery to be settled in a court of justice. This was recommended to be introduced as an amendment to the army appropriation bill. This passed the Senate, but was lost in the House. This bill passed the Senate again in 1854, but with no better success in the House.

It seeming impossible, from causes wholly irrespective of the question of right, to obtain relief by the action of Congress, and being encouraged by the favorable reports from committees to whom the claim was referred, and the favorable notice of executive and military officers, he determined to apply at once to the President, believing it to be quite within his power, as commander-in-chief of the army and navy, to give an order that would compel the compensation which right and justice demanded. He, accordingly, on the 15th day of June, 1854, addressed the following petition to the President of the United States:

"*To his excellency the President of the United States, and the Hon. the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury of the United States:*

"The undersigned, William T. G. Morton, M. D., respectfully represents and makes known, that he, the undersigned, is the original and first discoverer of practical anæsthesia, and that he holds the letters patent of the United States for said discovery, and for certain means of applying the same; which said letters patent bear date the twelfth day of November, in the year 1846, and do grant to the undersigned and his assigns, for the term of fourteen years from the date thereof, the exclusive right and liberty of using, and vending to others

to be used, the said discovery of practical anæsthesia; to which said letters patent, of record in the United States Patent Office, he respectfully refers.

"The undersigned, from motives which must be apparent from the nature of the subject, and relying upon the justice and magnanimity, first, of his own government, and then of all other civilized governments, has not hitherto exercised his legal rights by suits at law for damages, or injunctions to prevent the use of a discovery which has happily proved so beneficent to humanity. Nor would he now take any step by way of departure from his previous course, but that his forbearance is sought to be turned to his disadvantage, and objection is made to granting compensation by an act of Congress, on the ground that he ought to enforce his right under his patent against the officers of the United States using his discovery in the military, naval, and marine service, and against all persons violating the same.

"These considerations have determined the undersigned to adopt this course. He therefore, with great reluctance, respectfully asks that the encouragement given to private individuals to violate his patent, through the non-observance thereof by the government itself, may be no longer continued, and that the honorable Secretaries will either purchase the right to use said discovery in the respective branches of the public service, or that they will immediately issue the necessary orders to the medical officers and others under their official control to desist from further infringing his patent right in the premises.

"WM. T. G. MORTON, M. D.

"WASHINGTON, *June* 15, 1854."

This petition was accompanied with the recommendation of a majority of the two houses of Congress, and with favorable reports from the medical bureaus of the War and Navy Departments, which your committee here subjoin:

"The undersigned, members of the Senate and House of Representatives, concur in recommending that the right to use Dr. Morton's discovery, commonly called 'practical anæsthesia,' be purchased for the public service, or that the use thereof be discontinued, because the government is manifestly bound by its own patent, duly issued, to respect the said discovery as private property, and because '*private property*' ought not to be '*taken for public use without just compensation.*' " *

This was followed, as will be seen, by one hundred and fifty signatures. Of these, Mr. Mallory, Mr. Seward, and Mr. Weller signed under the following qualification: "I respectfully suggest that the patentee of the anæsthetic agent, known as Dr. Morton's discovery, should receive from the United States a *liberal* compensation for their past and future use of it."

United States senators.—James C. Jones, John Bell, Tennessee. George W. Jones, Iowa. Ben. Fitzpatrick, C. C. Clay, jr., Alabama. A. G. Brown, S. Adams, Mississippi. James Shields, J. D. Bright, Illinois. J. P. Walker, Henry Dodge, Wisconsin. J. B. Thompson, Kentucky. Charles T. James, Philip Allen, Rhode Island. J. W. Williams, H. Hamlin, Maine. Charles Sumner, Julius Rockwell, Massachusetts. James Cooper, Pennsylvania. John B. Weller, W. M. Gwin, California. J. M. Clayton, Delaware. W. K. Sebastian, R. W. Johnson, Arkansas. Sam Houston, Texas. Wm. H. Seward, New York. Arch. Dixon, Kentucky. J. P. Benjamin, Louisiana. B. F. Wade, S. P. Chase, Ohio. S. R. Mallory, A. C. Dodge, Florida.

Representatives to Congress.—Samuel P. Benson, Samuel Mayall, E. W. Farley, I. Washburn, jr., T. J. D. Fuller, Maine. Samuel H. Walley, Alex.

* Constitution United States, Amendment, Article V.

De Witt, Charles W. Upham, Thomas D. Eliot, J. Z. Goodrich, N. P. Banks, jr., Edward Dickinson, J. Wiley Edmands, Samuel L. Crocker, Massachusetts. Alvah Sabin, Vermont. B. B. Thurston, Thos. Davis, Rhode Island. Thos. W. Cumming, T. R. Westbrook, John Wheeler, Gerrit Smith, Peter Rowe, William M. Tweed, Charles Hughes, G. Dean, Jared V. Peck, R. W. Peckham, Bishop Perkins, Henry Bennett, George Hastings, A. Oliver, New York. A. C. M. Pennington, George Vail, New Jersey. Roland Jones, Louisiana. Hendrick B. Wright, Thomas B. Florence, W. H. Witte, Asa Packer, Ner Middleswarth, John Robbins, jr., William Everhart, Joseph R. Chandler, J. Glancy Jones, C. M. Straub, C. B. Curtis, Thomas M. Howe, Pennsylvania. Jacob Shower, Maryland. G. R. Riddle, Delaware. H. H. Johnson, Thomas Richey, Lewis D. Campbell, W. R. Sapp, J. R. Giddings, Ed. Wade, M. H. Nichols, J. S. Harrison, J. L. Taylor, A. Harlan, Ohio. W. A. Richardson, James Knox, E. B. Washburne, J. O. Norton, John Wentworth, Richard Yates, J. C. Allen, Willis Allen, Illinois. H. L. Stephens, Michigan. Sion H. Rogers, W. S. Ashe, R. C. Puryear, John Kerr, H. M. Shaw, North Carolina. James L. Orr, P. S. Brooks, W. W. Boyce, L. M. Keitt, South Carolina. D. A. Reese, Georgia. James Abercrombie, W. R. Smith, J. F. Dowdell, P. Phillips, Alabama. A. E. Maxwell, Florida. William Barksdale, William S. Barry, D. B. Wright, W. P. Harris, O. R. Singleton, Mississippi. Samuel Caruthers, M. Oliver, John G. Miller, James J. Lindsley, A. W. Lamb, Missouri. A. B. Greenwood, Arkansas. F. K. Zollicoffer, William Cullom, Em. Etheridge, R. M. Bugg, Fred. P. Stanton, N. G. Taylor, Wm. M. Churchwell, Tennessee. John C. Breckinridge, William Preston, L. M. Cox, R. H. Stanton, John M. Elliot, James S. Chrisman, C. S. Hill, Kentucky. D. Stuart, Michigan. Ben. C. Eastman, John B. Macy, Daniel Wells, jr., Wisconsin. Daniel Mace, Indiana. Bernhart Henn, J. P. Cook, Iowa. P. H. Bell, Texas. J. A. McDougall, M. S. Latham, T. S. Russell, California.

"NAVY DEPARTMENT, *July* 25, 1854.

"SIR: The printed documents, &c., having relation to anæsthetic agents, which were left by you at the department, were referred to Surgeon Whelan, chief of the Bureau of Medicine and Surgery, who has returned them with a letter containing some general expressions of the value and importance of such agents in medicine and surgery, a copy of which you will find enclosed, together with the printed papers referred to.

"I am, very respectfully, your obedient servant,

"J. C. DOBBIN.

"W. T. G. MORTON, M. D.,
"*National Hotel, Washington, D. C.*"

"NAVY DEPARTMENT,
"*Bureau of Medicine and Surgery, July* 24, 1854.

"SIR: I have the honor to acknowledge the receipt of your communication of the 21st instant, covering sundry printed documents on the subject of anæsthetic agents, submitted to the Navy Department by Dr. Morton, in which 'my views touching the subject-matter presented' are requested.

"Without desiring to involve myself in the controverted point of the discovery of anæsthetic agents, the objects of the department in its reference of the subject to this bureau may possibly be subserved by some general expression of their value and importance, and the almost universal employment of these agents under different names, but nearly identical in effect and mode of administration, in a vast proportion of grave injuries and painful diseases.

"So general is the use of anæsthetic agents, such is the confidence of the profession in the uniformity and safety of their effects, that medicine and surgery

would be divested of one of their ablest allies if any circumstance should arise to deprive them of the employment of a class of pain-destroying agents whose popularity and appreciation keep pace with their diffusion. I regard the discovery of anæsthesia as one of more importance in many senses than any of those triumphs of genius which have conferred immortality and fortune on their authors; for it alone interests every condition and calling of humanity, and is as widespread in its application as the primal cause of pain, which it so effectually destroys.

"I believe there is scarce an intelligent physician or surgeon in either hemisphere who has not had occasion to use these agents, and whose judgment does not indorse their value.

"Sulphuric ether was adopted in the navy soon after the discovery of its peculiar properties; it still continues to be largely used, and for some years has formed an item in the 'allowance table of medicines.'

"In one of the documents accompanying your communication, a report by a select committee of the House of Representatives, (first session, thirty-second Congress, pages 86 and 98,) will be found two communications from the then chief of the Bureau of Medicine and Surgery, which so fully embody my own opinions of the value and importance of anæsthetic agents that I respectfully invite your attention to them. In the same document (pages 102, *et seq.*) are recorded the commendatory opinions of numerous medical officers of the navy.

"The character of anæsthetic agents seems now to be settled beyond dispute; their great importance in medicine and surgery is recognized by a unanimity of opinion rare, indeed, in medical matters; for throughout the profession anæsthesia is not inaptly hailed as one of the greatest boons conferred by science on suffering humanity.

"To estimate the pecuniary value of such a discovery, if I am called upon to do so, is not so easy a matter. If the action of the British Parliament in the case of Jenner—one of closest analogy—be received as a standard of judgment, the sum of one hundred thousand dollars, the amount named on several occasions by Congress, does not appear to me to be beyond the worth of this only panacea for most of the ills that flesh is heir to.

"Very respectfully, your obedient servant,

"W. WHELAN.

"Hon. J. C. DOBBIN,
"*Secretary of the Navy.*"

At the same time that the reference was made by the Secretary of the Navy to the medical bureau, the communication which had been handed the Secretary of War was referred by him to the medical bureau of the army, as is shown by the following reply:

"SURGEON GENERAL'S OFFICE, *July* 17, 1854.

"SIR: A communication addressed to the President of the United States and to the Secretaries of War, of the Navy, and of the Treasury, by William T. G. Morton, M. D., in which the writer, after representing that he holds letters patent of the United States for the discovery of 'practical anæsthesia,' requests that the right to use that discovery in the public service be purchased, or that orders be issued to the medical and other officers under government control to desist from further infringing his patent right, having been referred to me for a report, I have the honor to submit the following remarks:

"The great importance and value of practical anæsthesia has been recognized and admitted by physicians and surgeons throughout the civilized world. For my own views on this point, and for evidence that washed sulphuric ether and other anæsthetic agents are regularly supplied to and used by the medical officers of the army, you are respectfully referred to the enclosed copy of a communica-

on, addressed by me to Dr. Morton, on the 1st of March 1852, and your atten-
on is also invited to the printed copies of communications from the late chief
f the Bureau of Medicine and Surgery in the navy, and other physicians and
urgeons of distinction which are to be found in one of the pamphlets accompany-
ıg the present memorial of Dr. Morton.

"Confining my remarks more particularly to the special subject now presented
y Dr. Morton, I have to state that if it should satisfactorily appear to those
aving the ability and the authority to decide that the letters patent held by
)r. Morton do really cover the exclusive right of using, and selling to others to
e used, those anæsthetic agents which have been successfully introduced into
he practice of medicine and surgery for anæsthetic purposes, it would seem
hat the government of the United States is bound, in virtue of a provision in
he Constitution to that effect, as well as in justice, to pay Dr. Morton for the
se of his property heretofore, and either to desist from the further employment
f those articles in the public service for anæsthetic purposes or to acquire the
egal right to their use by purchase.

"It appears, on examination of a paper appended to Dr. Morton's communica-
ion, that 32 senators and 118 members of the House of Representatives 'con-
ur in recommending that the right to use Dr. Morton's discovery, commonly
alled "practical anæsthesia," be purchased for the public service, or that the
se thereof be discontinued, because the government is manifestly bound by its
wn patent, duly issued, to respect the said discovery as private property, and
ecause "private property" ought not to be "taken for public use without just
ompensation."'

"Presuming that the army, navy, and commercial marine of the United States
rill not be debarred from all participation in the benefits arising from a discov-
ry which has been pronounced, and in reality is, 'one of the greatest boons ever
iven to suffering man,' it may be proper, though I am not specially instructed so
) do, to furnish some data upon which an estimate of the amount which, in my
pinion, the patentee may reasonably demand from the government for the past
nd future use of anæsthetic agents in the army, navy, marine corps, and marine
ıospitals of the United States.

"The British Parliament bestowed upon Dr. Jenner, the discoverer of vac-
ination (to which the discovery of practical anæsthesia may properly be com-
ared) the sum of thirty thousand pounds. The select committee of Congress,
rho have had this subject under consideration, have recommended that the sum
f one hundred thousand dollars be appropriated to Dr. Morton for the privilege
f using the discovery.

"In both of those instances it was intended, I believe, by the governments,
espectively, to give benefits of the discovery to the world.

"Without, then, going into a calculation of the amount of compensation to be
ırnished from each branch of the public service, it is respectfully suggested
that the sum of one hundred thousand dollars, as proposed by the select com-
ıittee of the House of Representatives and also by the Military and Naval Com-
ıittees of the Senate, be awarded to the patentee for all his right in the premises,
nd that the benefits of the discovery be given to the world at large.

"I have the honor to be, very respectfully, your obedient servant,

"THOMAS LAWSON,

"*Surgeon General.*

"Hon. JEFFERSON DAVIS,

"*Secretary of War.*"

The President at first seemed favorably impressed, and promised to forbid the
se of the ether or pay the proposed sum, but afterwards declined to do it until
he judgment of a judicial tribunal should determine the right. The petitioner,
herefore, on his suggestion, brought suit against one of the United States officers

who had used this discovery in the marine hospital, and after two years and expending a good deal of money, received a judgment against him.

On the rendition of this judgment a new administration was in power. The record of the trial and judgment was taken to the Secretary of the Treasury, inasmuch as the marine hospitals were under that executive department, but this gentleman (now a member of the confederate government) stated that before settling he wished Dr. Morton to test his claim by bringing further suits, and did nothing whatever.

This transaction appears by the accompanying statement of a conversation with the President, which took place in the presence of Mr. Barksdale, of Mississippi, and published as early as 1858, and a letter of the honorable William H. Witte, member of Congress, addressed to the President of the United States, detailing his conversation with him on the subject:

On emerging from his sick-room, in the early part of May, 1855, in company with Mr. Barksdale, of Mississippi, through whose agency it had been arranged, Dr. Morton held an audience with the President, and then, for the first time, learned the result of this two years of "circumlocution." Before paying any sum for the patent, the government wished a legal decision on the case; it had decided that a judgment should be procured against it, so that it should be compelled to make restitution. In reply to the President, who asked why a suit had not been before brought, Dr. Morton replied, *that owing to the peculiar nature of his discovery, he had never wished to take legal steps for redress; that he had all along been led to suppose that the government would in the end act honestly*, and, for the good of humanity, do, of its own free will, an act of justice, to which it was repugnant to human nature to compel it. To this the President replied that no feeling of that kind need deter him; that the prosecution was to be for its use in the public service, and a mere form, as the decision of the court would give them authority for immediate action. He then proposed that a suit should be commenced against some surgeon of the government service who had at some period used the discovery; that the suit, when brought, should be considered as brought against the government and not against the surgeon, and that the government should shoulder all the responsibility. He closed by saying, that when it was decided that the government was violating Dr. Morton's patent the government would pay, and that Dr. Morton might take his choice as to the tribunal before which to have the case tried.

"SIR: The honorable the Attorney General has this morning informed me that the government declines acting at this time in the case of Dr. Morton, assigning as a reason that the patent covers too much, and also that the Secretary of War does not favorably construe the scientific question involved—in fact and effect denying the validity of the patent.

"As an answer to the first point it is only necessary to repeat the clear and unequivocal assurance made to me on more than one occasion by your excellency that the binding force and validity of the patent should not be disturbed, should not be adjudicated by the executive ministerial authority of the government, but that it should be construed by the import obviously expressed by its face, and that Dr. Morton should be dealt with in the premises according to that spirit of partiality and rigid justice which it becomes the power of a great government to extend toward one of its own citizens.

"In reply to the objection, now for the first time presented by the Secretary of War, I beg leave to refer to his own report made to your excellency, in which, after discussing the scientific view of the case, he concludes with the clear expression of his opinion that Dr. Morton is the person to whom compensation ought to be made, and that the only point left undecided by him is the method in which, and the extent to which, payment ought to be made.

"With this report you expressed yourself so well satisfied that upon one oc-

casion you, with pen in hand, did me the honor to counsel with me how the order to the departments not to use the agent (until settlement had been made) ought to be issued so as to best serve the interests of Dr. Morton, and thereby promote the equity of his claim.

"You were also on that occasion kind enough to desire me to say to Dr. Morton that it would be better that he should not remain in Washington, but go home and rest contented with your assurance that the matter should be satisfactorily adjusted, and that you preferred to close the business with me rather than with a lawyer, at the same time giving him the advice not to spend his money in feeing lawyers, as there was no necessity, there being nothing in it which you and I could not settle.

"It was in this aspect of the case, relying upon your declaration and absolute promise, that I was induced to render to Dr. Morton pecuniary assistance which the necessities of his situation imperatively required, never dreaming that you would fail to do yourself, or to permit others to refuse doing, an act the justice and necessity of which you had more than once clearly admitted.

"And yet, now, after the lapse of *fourteen months* induced to come here often, and always at the sacrifice of my interests at home, I am told that there is nothing in the case; that the government refuses to acknowledge the slightest equity in thec laim; but, shielding itself behind legal quibbles and scientific technicalities, coolly and complacently pronounces its former assurances and promises of compensation and justice as nothing—as nothing, because it refuses now to do what it repeatedly declared should be done.

"Well, sir, we must make submission, and we do submit in that feeling which injured helplessness makes to wrong and power.

"In conclusion, sir, permit me to express the regret that you did not in your intercourse with me upon the subject, deal with me in such a manner as to prevent me from involving myself (relying upon your assurances) largely to my pecuniary disadvantage, as well as to my personal mortification.

"I have the honor to be your obedient servant,

"WM. H. WITTE."

Thus far the efforts of the petitioner to obtain compensation for his labor, mental and corporeal, his services, his pecuniary expenditures in giving to his country the inestimable boon of his discovery, were attended with anxiety, disappointment, and loss. But he at last met with sympathy to cheer him and generosity to aid him in his hitherto disheartening progress. It came from the medical profession of the United States who are, of all men, the best qualified to judge of the fact of the discovery and of its value. Their reading renders them familiar with the state of knowledge at any and all times on kindred subjects, and every step in advance at all worthy of consideration is published in their periodicals, discussed in their lecture-rooms, and read and considered by them in all parts of the civilized world. After full consideration and discussion, after hundreds of thousands of experiments running through a period of many years, the profession has all become satisfied of the vast utility of the discovered anæsthetic agent and its kindred ethers; and as a body, with some rare exceptions, they are convinced that the petitioner, Dr. Morton, is the original discoverer. This is abundantly shown by the proceedings of the faculty of Boston, New York, and Philadelphia, which your committee has before them, and herewith annex as deserving the attention of the Senate. It is the verdict of men, the very elite of their profession, who, in a matter that so deeply concerns it, are not likely to be deceived. Your committee offers no apology for presenting these proceedings in full. The importance of the subject justifies and indeed demands it.

Testimonial to Dr. Wm. T. G. Morton.

BOSTON, *Massachusetts, United States of America*, 1861.

More than fourteen years have elapsed since the first application of sulphuric ether as an anæsthetic agent. During this period its use has been extended over the whole civilized world; it has been employed in private dwellings, hospitals, and upon the field of battle, and has been hailed as the most beneficent gift conferred upon mankind since the discovery of vaccination. It has enabled every human being to contemplate pain, disease, and death with comparative composure; and its loss, were such a thing possible, would be universally regarded as a calamity to our race.

The anæsthetic properties of ether, if before known, had never been before practically applied, and except for the courage, energy, and perseverance of Dr. Morton, they would not probably have been applied to this day. The peculiar claim of Dr. Morton is not merely that he introduced the use of ether, but that he first demonstrated the fact that the human system can be safely reduced to a condition in which it becomes unconscious of the sufferings of disease, the pain of surgical operations, and the pangs of childbirth. The same purpose has since been effected by chloroform and other agents, but it is not assuming too much to say that, except for the demonstration of this great fact of the possibility and safety of anæsthesia, their employment would never have been suggested.

But while all mankind have been benefited, Dr. Morton has been a loser, to a large amount, by his exertions, in a wordly point of view; and in consequence of the time consumed, the expenses incurred, and the suspension of his professional labors, he is less advantageously situated than before. This does not seem just, and it is now proposed to procure and present to him an adequate testimonial, not as a compensation, (for a full compensation is in its nature impossible,) but as a remuneration for his expenditure, and an expression of the deep and grateful sense entertained by his fellow-creatures of the inestimable benefit he has conferred upon them.

With the view of obtaining effectual co-operation in other places, a meeting of a committee of fifty gentlemen was held at the house of Dr. J. Mason Warren, January 26, 1861, and as a result of this meeting the following organization has been adopted. The aid of the medical profession, and the public in general, is now respectfully solicited to assist in carrying into effect this laudable purpose. It is proposed that a public subscription be instituted, the avails of which shall be paid into the hands of Amos A. Lawrence and John Lowell, of Boston, trustees, to be held, appropriated, and invested for the benefit of Dr. Morton and his family.

President.—Dr. James Jackson, emeritus professor of theory and practice of medicine, Harvard University.

Vice-Presidents.—Dr. Jacob Bigelow, president American Academy of Arts and Sciences; Dr. George Hayward, consulting surgeon Massachusetts General Hospital; Dr. S. D. Townsend, surgeon Massachusetts General Hospital; Edward Reynolds, consulting surgeon Massachusetts General Hospital; C. C. Felton, LL.D., President Harvard University; Dr. John Homans, president Massachusetts Medical Society, consulting physician Massachusetts General Hospital; Dr. John Jeffries, consulting surgeon Massachusetts General Hospital; Jared Sparks, LL.D., Cambridge, Massachusetts, late president of Harvard University; Robert C. Winthrop, LL.D., president of the Massachusetts Historical Society.

General Committee.—Dr. John C. Dalton; Daniel Treadwell, formerly Rumford professor in Harvard University; Dr. Charles G. Putnam; Dr. Daniel D. Slade; Dr. Henry I. Bowditch, physician to Massachusetts General Hospital; Dr. Henry G. Clark, surgeon to Massachusetts General Hospital; Dr. Oliver

Wendell Holmes, professor of anatomy and physiology in Harvard University; Dr. J. Mason Warren, surgeon to the Massachusetts General Hospital; Dr. Robert W. Hooper, surgeon to the Massachusetts Charitable Eye and Ear Infirmary; Dr. William J. Dale; Dr. Henry J. Bigelow, surgeon to Massachusetts General Hospital; Dr. Charles E. Buckingham; Dr. George H. Lyman; Dr. Edward H. Clarke, professor of materia medica in Harvard University; Dr. Luther Parks, jr.; Dr. J. Baxter Upham.

Executive committee.—Dr. John Ware, late professor of theory and practice of medicine in Harvard University; Dr. David W. Cheever, Dr. J. N. Borland, Dr. C. D. Homans, Dr. Robert Ware, Dr. James C. White, Dr. Richard M. Hodges, Dr. Calvin G. Page.

Trustees.—Amos A. Lawrence, treasurer of Harvard University; John Lowell.

Secretary.—Francis Minot, physician to Massachusetts General Hospital.

Proceedings in behalf of the Morton testimonial.

At a meeting of medical gentlemen, held at the house of Dr. Jacob Bigelow, on the evening of January 26, 1861, for the purpose of bringing before the community the claims of Dr. W. T. G. Morton to a substantial recompense for the benefit which he has conferred on mankind by the discovery of the anæsthetic properties of sulphuric ether, Dr. John Homans was elected chairman, and Dr. Francis Minot, secretary, and the following resolutions were adopted:

1. *Resolved,* That this meeting view with great interest and satisfaction the movement inaugurated in Boston, New York, and Philadelphia,* in behalf of the Morton testimonial, and take this occasion to renew their expression of approval and sympathy.

2. *Resolved,* That the meeting commend the subscription proposed for the testimonial to the favor and support of the American people, and most cordially join in the commendation bestowed upon it by institutions and scientific men throughout the country.

3. *Resolved,* That in view of the present condition and objects to be attained by the testimonial, it is expedient to make an immediate effort to take up a general subscription in this community, which is the scene of Dr. Morton's labors and experiments, and the city where the discovery was made, and the testimonial had its origin.

4. *Resolved,* That a committee be appointed by the chair, from gentlemen out of the profession, to call on this community and solicit donations and subscriptions in behalf of the testimonial, with power to make additions to their number and substitutions, and to take such other action as they may deem expedient to promote this object.

5. *Resolved,* That a committee of medical men be appointed by the chair to confer with the committee on subscriptions as to the most efficient means of accomplishing the end in view.

6. *Resolved,* That it is expedient to appeal especially to those who have been relieved by etherization from intense pain, that they may have an opportunity to contribute according to their means.

On motion of Dr. Bowditch, the secretary was requested to notify the members of both committees of their appointment, and to desire them to meet together at such time and place as he may see expedient, to carry out the objects of this meeting.

The chair appointed the following committees:

Laymen.—Amos A. Lawrence, 17 Milk street; Charles Amory, 54 City Exchange; J. Ingersoll Bowditch, 54 State street; John Lowell, 42 Court street; John T. Stetson, 8 Milk street; William Appleton, jr., 24 Tremont

* Pages 62 to 64.

street; Moses Williams, jr., 105 State street; Daniel S. Curtis, 4 State street; John Joseph May, corner Broad and State streets; Martin Brimmer, 48 Beacon street; A. W. Spencer, 13 Congress street; Samuel Frothingham, jr., 59 Franklin street; Thomas J. Lee, 60 State street; Warren Sawyer, 7 Blackstone street; J. D. W. Joy, 17 Milk street; Prescott Bigelow, 1 Postoffice avenue; Joseph Burnett, 27 Central street; John H. Thorndike, 29 Edinboro' street; B. W. Taggard, 29 Cornhill; Gardner Brewer, Federal, corner Franklin street; Theodore Metcalf, 39 Tremont street; P. W. Chandler, 4 Court street; Thornton K. Lothrop, 42 Court street; Charles T. Randall, Devonshire, between Franklin and Summer streets; G. S. Hillard, Niles Block, School street; James T. Fields, corner School and Washington streets; William G. Weld, Edward T. Eastman.

Medical.—James Jackson, Jacob Bigelow, George Hayward, John Ware, John Homans, S. D. Townsend, John Jeffries, A. A. Gould, Henry I. Bowditch, O. W. Holmes, John H. Dix, Charles G. Putnam, J. Mason Warren, Henry J. Bigelow, Henry G. Clark.

JOHN HOMANS, M. D., *Chairman.*

FRANCIS MINOT, M D., *Secretary.*

The following address is set forth by a sub-committee appointed at a meeting held at the house of Dr. J. Mason Warren, in pursuance of the foregoing object:

BOSTON, *March* 4, 1861.

SIR: We beg leave to address you in regard to the claims and services of Dr. W. T. G. Morton, as connected with the discovery of producing insensibility to pain by the anæsthetic effects of sulphuric ether. That this discovery has been an inestimable blessing to mankind, and that it is regarded as one of the most important applications of science to the uses of life that has been made, even in this age of improvement and progress, is beyond dispute.

While there is not an entire unanimity of opinion as to Dr. Morton's claims to the priority of the discovery, all who have investigated the subject agree that the pre-eminent merit of first establishing by experiment what was before only a surmise or a conjecture is his; and that without his courage, energy, and perseverance, the discovery would not have been put into practical operation. This is enough to make Dr. Morton one of the benefactors of his race. His discovery is now in use all over the civilized world; everywhere it is lightening the trying duties of the medical profession; soothing the pain of the suffering, and, what is hardly less valuable, taking away that apprehension of pain which, to the nervous and sensitive, is like suffering itself.

But Dr. Morton has experienced the common fate of inventors and discoverers. So far from being a gainer, he has been a loser to a very large amount, by the sacrifices and expenses incurred by him in introducing his discovery and vindicating his claims. It is not proposed to bestow upon Dr. Morton a pecuniary equivalent for his discovery; indeed, the worth of a discovery like his is not susceptible of a money value, though some approximation to it may be made by considering what sum mankind would be willing to give for such a blessing, supposing they had it not. But we think he is justly entitled, not merely to a return of all expenses incurred, but to some further expression of the grateful sense which his services to humanity have everywhere awakened. Thirty thousand pounds were given, in two successive grants, by the British Parliament to Dr. Jenner; and no one would deem a like sum an extravagant remuneration for the civilized world to bestow upon Dr. Morton.

The undersigned, a committee appointed at a meeting of gentlemen of the medical and other professions, held at the house of Dr. J. Mason Warren, on Tuesday, February 26, have the honor to address you on this subject, and to

solicit your aid in behalf of the object above set forth. Such contributions as you may see fit to make will be received by Amos A. Lawrence or John Lowell, who have consented to act as trustees of the fund which may be collected, or by any member of the joint committee on the Morton testimonial.

JOHN HOMANS,
JOHN WARE,
GEO. S. HILLARD,
CHAS. G. PUTNAM, } *Committee.*

FRANCIS MINOT, *Secretary.*

The undersigned having been appointed trustees of the fund to be raised as a testimonial to Dr. Morton for his discovery of etherization, and having accepted this trust, deem it their duty to state, for the information of those who may be asked to contribute, that it is not designed merely to present him with an honorable memento of the services which he has rendered to mankind, but to afford him relief from the embarrassments which his discovery has brought upon him.

It is necessary for us, therefore, to say that Dr. Morton has sacrificed all his property, and all the profits of his profession, in introducing his discovery, and in establishing his claim, and that he has seriously impaired his health; that he has failed to obtain compensation from the government for the use of ether by the army and navy, though a bill has been twice passed through one house of Congress for that purpose, and that he has no hope of any public compensation.

Under these circumstances, is it asking too much to bestow on one who is the author of the most beneficent discovery of this age, the means of an ample support for himself and his family?

Believing that all who have experienced the inestimable benefits of ether in its various forms in alleviating pain, or who have seen its effects upon others, will deem it a privilege to give some substantial proof to the discoverer, of their appreciation of its value; we forbear to give the details of his labors and his misfortunes.

AMOS A. LAWRENCE,
JOHN LOWELL, } *Trustees.*

BOSTON, *March* 4, 1861.

TESTIMONIAL OF THE MEDICAL PROFESSION OF PHILADELPHIA, NEW YORK, AND BOSTON.

Proceedings of the medical profession of Philadelphia, in behalf of W. T. G. Morton, M. D.

A meeting of the members of the medical profession who had indorsed the testimonial in behalf of Dr. W. T. G. Morton, was held at the hospital buildings, Spruce street, on Monday, March 26, 1860; when, on motion, Dr. Wilson Jewell was called to the chair, and Dr. T. H. Bache was chosen secretary.

The following preamble and resolutions were then offered, and having been read by the secretary, were unanimously adopted:

"Whereas, after innumerable trials, made during the last fourteen years, it has been established to the satisfaction of the world that the inhalation of ether may be safely employed for producing insensibility to pain:

"And whereas the attention of the medical profession, and through it of the public generally, was directed to this fact by Dr. Wm. T. G. Morton, of Boston, who first practically demonstrated that ether may be safely used by inhalation for annulling pain, in the Massachusetts General Hospital, where, on the 16th of October, 1846, a severe surgical operation was successfully performed by the

late Dr. John C. Warren, without pain to the patient, whilst under the influence of ether administered by Dr. Morton:

"And whereas our national government, whilst admitting the claims of Dr. Morton, has failed to reward him for this great service to his country and to humanity:

"*Resolved*, That, in the opinion of this meeting, the world is indebted to Dr. Morton for having practically proved the value and safety of ether as an anæsthetic agent, and that he is, therefore, entitled to the lasting gratitude of mankind.

"*Resolved*, That we cordially recommend to our fellow-citizens the national testimonial fund, lately commenced in Boston and New York in behalf of Dr. Morton, and that we will do all in our power to influence them to subscribe to the same.

Resolved, That, for the purpose of facilitating the subscriptions, a copy of these resolutions, duly authenticated by the officers of this meeting, be furnished to Messrs. Brown Brothers & Co., the receivers for this city, together with such other documents in explanation of the testimonial as may be approved by the officers of this meeting."

On motion the secretary was directed to transmit a copy of these resolutions to Dr. Morton.

On motion, adjourned.

WILSON JEWELL, *Chairman.*

T. H. BACHE, *Secretary.*

Testimonial of members of the medical profession of Philadelphia, in behalf of William T. G. Morton, M. D., to their fellow-citizens.

FEBRUARY 15, 1860.

The vast importance of the effect of the inhalation of ether, in preventing and suspending pain, has long ceased to be a matter of doubt among the members of the medical profession, and is too well known to the intelligent citizens of Philadelphia to need any further exposition. Etherization has been tested in countless instances, under a great variety of circumstances, during more than twelve years of constant employment by thousands of operators; and the result of this unsurpassed experience is decisive in confirmation of its safety and efficiency as a suppressor of physical suffering, and a powerful assistant of the healing art.

Believing, therefore, that anæsthetic inhalation is the most available and potent means of alleviating pain yet employed in the practice of surgery, and, consequently, that it is one of the greatest gifts to humanity of the present age, we cannot but regard the original and successful introducer of this invaluable boon as entitled to the warm gratitude of mankind.

We believe the practical originator of anæsthetic inhalation to be Dr. William T. G. Morton, of Boston, Massachusetts, in whose behalf we are happy to bear witness in this testimonial.

We are convinced that he is the one who first resorted to ethereal inhalation for the purpose of producing insensibility to pain in a patient while undergoing a surgical operation, and that he is the one who first succeeded in effecting this result. He was, indisputably, the first to urge the anæsthetic properties of the vapor of ether upon the attention of the medical profession, and thus succeeded in establishing the practice of anæsthetic inhalation.

We therefore take great pleasure, and at the same time perform an act of duty, in recommending the claims of Dr. Morton to the favorable consideration of our fellow-citizens, and would cordially urge upon them the propriety of showing their estimate of his services by a substantial acknowledgment, such as

is manifestly due from an enlightened community to one who has conferred upon its members so inestimable a benefit.

We may refer to the annals of medicine in the Old World for many instances in which analogous discoveries of less moment have been recognized and paid for by European governments, sometimes even before their true value had been ascertained. The length of time which has elapsed since the adoption of etherization has only the more firmly established its position by demonstrating its safety and developing its usefulness.

Our national government has admitted the justice and importance of Dr. Morton's claims in the introduction of ethereal anæsthesia, but has neglected to provide the proper reward.

Under these circumstances, the plan of individual contribution has been successfully resorted to by the citizens of Boston and New York as the best suited to the temper of our people, and the most likely to reach a satisfactory conclusion.

An opportunity is now offered to the citizens of Philadelphia to unite with their neighbors in the same work of benevolence and justice; and it is in this that we earnestly desire to interest them.

We sincerely hope that our townsmen, in whose liberality and sense of right we have great confidence, may join us in rendering the tribute to his merits and necessities which has elsewhere been accorded to him, and which we believe him to deserve.

University of Pennsylvania.—George B. Wood, M. D., professor of theory and practice of medicine; Hugh L. Hodge, M. D., professor of obstetrics and the diseases of women and children; Joseph Carson, M. D., professor of materia medica and pharmacy; Robert E. Rogers, M. D., professor of chemistry; Joseph Leida, M. D., professor of anatomy.

Jefferson Medical College.—Joseph Pancoast, M. D., professor of general, descriptive, and surgical anatomy; Chas. D Meigs, M. D., professor of obstetrics and diseases of women and children; Franklin Bache, M. D., professor of chemistry; Samuel D. Gross, M. D., professor of institutes and practice of surgery; T. D. Mitchell, M. D., professor of materia medica and general therapeutics; Samuel H. Dickson, M. D., professor of practice of medicine.

Pennsylvania College, medical department.—B. Howard Rand, M. D., professor of chemistry; Henry Hartshorne, M. D., professor of practice of medicine; Lewis D. Harlow, M. D., professor of obstetrics, &c.; William S. Halsey, M. D., professor of surgery; William Hembel Taggart, M. D., professor of materia medica; James Aitken Meigs, M. D., professor of institutes of medicine; William H. Gobrecht, M. D., professor of anatomy.

Pennsylvania Hospital.—William W. Gerhard, M. D., physician; James J. Levick, M. D., physician; John Forsyth Meigs, M. D., physician; Francis G. Smith, M. D., physician; Joseph Pancoast, M. D., surgeon; Edward Peace, M. D., surgeon; Edward Hartshorne, M. D., surgeon.

Philadelphia Hospital.—S. D. Gross, M. D., surgeon; D. H. Agnew, M. D., surgeon; R. J. Levis, M. D., surgeon; R. S. Kenderdine, M. D., surgeon; William Mayburry, M. D., physician; J. L. Ludlow, M. D., physician; C. Pendleton Tutt, M. D., physician; John Wiltbank, M. D., physician; R. A. F. Penrose, M. D., physician; Lewis D. Harlow, M. D., physician; William D. Stroud, M. D., physician; J. Da Costa, M. D., physician.

Wills Hospital.—S. Littell, M. D., surgeon; Addinell Hewson, M. D., surgeon; T. G. Morton, M. D., surgeon; William Hunt, M. D., surgeon; S. L. Hollingsworth, M. D., physician; John J. Reese, M. D., physician; James J. Levick, M. D., physician; A. Douglass Hall, physician.

Episcopal Hospital of Philadelphia.—J. C. Morris, M. D., physician; H. Hartshorne, M. D., physician; J. Da Costa, M. D., physician; Wm. Mayburry,

M. D., physician; William Hunt, M. D., surgeon; H. E. Drayton, M. D., surgeon; R S. Kenderdine, M. D., surgeon.

Charity Hospital of Philadelphia.—P. B. Goddard, M. D., surgery; William H. Pancoast, M. D., surgery; Z. Ring Jones, M. D., eye, ear, and urinary organs; H. St. Clair Ash, M. D., diseases of children; Burroughs Price, M. D., diseases of digestive organs, brain, and nervous system; A. W. Griffiths, M. D., obstetrics; Alexander C. Hart, M. D., diseases of women; W. E. Weatherly, M. D., diseases of respiratory organs; S. Updegrove, M. D., diseases of the skin; J. L. Ludlow, M. D., fevers and general diseases.

St. Joseph's Hospital of Philadelphia.—William V. Keating, M. D., physician; S. Wier Mitchell, M. D., physician; William Keller, M. D., physician; A. Bournonville, M. D., obstetrician; J. H. B. McClellan, M. D., surgeon; Wm. Byrd Page, M. D., surgeon; John H. Brinton, M. D., surgeon; Joseph Leidy, M. D., pathologist.

Children's Hospital of Philadelphia.—Wm. Pepper, M. D., consulting physician; John F. Meigs, M. D., consulting physician; F. W. Lewis, M. D., attending physician; Wm. R. Dunton, M. D., attending physician; R. A. F. Penrose, M. D., attending physician; T. H. Bache, M. D., attending physician.

Pennsylvania Hospital for the Insane.—Thomas S. Kirkbride, M. D., physician in chief; Edward A. Smith, M. D., resident physician.

City Hospital of Philadelphia.—John Bell, M. D.

Moyamensing Prison.—Henry Yale Smith, M. D.

Board of Health.—P. B. Goddard, M. D., president.

Howard Hospital.—S. D. Gross, M. D., D. D. Clark, M. D., general and special surgery; J. A. Meigs, M. D., diseases of the chest; J. Klapp, M. D., diseases of digestive organs; O. A. Judson, M. D., diseases of the skin; G. R. Morehouse, M. D., diseases of brain and nervous system; W. Darrach, M. D., fevers; E. McClellan, M. D., diseases of females; Charles Neff, M. D., diseases of the urinary organs.

College of Physicians of Philadelphia.—George B. Wood, M. D., president; Franklin Bache, M. D., vice-president; Edward Hartshorne, M. D., secretary; J. Rodman Paul, M. D., treasurer; John Bell, M. D., Hugh L. Hodge, M. D., Charles D. Meigs, M. D., R. La Roche, M. D., Benjamin Hornor Coates, M. D., Lewis P. Gebhard, M. D., William Darrach, M. D., Theophilus E. Beesley, M. D., Wi liam W. Gerhard, M. D., Joseph Pancoast, M. D., D. Francis Condie, M. D., Squire Littell, M. D., Anthony Bournonville, M. D., Joseph Carson, M. D., Thomas S. Kirkbride, M. D., Francis West, M. D., Edward Peace, M. D., William Pepper, M. D., David C. Skerrett, M. D., John D. Griscom, M. D., Paul Beck Goddard, M. D., Alfred Stille, M. D., John J. Reese, M. D., John Forsyth Meigs, M. D., Lewis Rodman, M. D., Francis G. Smith, M. D., Washington L. Atlee, M. D., John Neill, M. D., Samuel D. Gross, M. D., Anthony E. Stocker, M. D., Gouverneur Emerson, M. D., James E. Rhoads, M. D., T. Stewardson, M. D., E. Wallace, M. D., Joseph Klapp, M. D., Samuel L. Hollingsworth, M. D., John L. Ludlow, M. D., John H. B. McClellan, M. D., William V. Keating, M. D., D. Paul Lajus, M. D., Thomas S. Reed, M. D., Richard H. Townsend, M. D., Isaac Remington, M. D., John B. Biddle, M. D., Henry E. Drayton, M. D., Caspar Morris, M. D., James J. Levick, M. D., Joseph Leidy, M. D., Wilson Jewell, M. D., Henry Hartshorne, M. D., William Keller, M. D., William Mayburry, M. D., Thomas Hewson Bache, M. D., James V. Emlen, M. D., Joseph Hopkinson, M. D., William H. Hooper, M. D., Addinell Hewson, M. D., David Gilbert, M. D., B. Howard Rand, M. D., William Hunt, M. D., R. A. F. Penrose, M. D., William H. Gobrecht, M. D., William D. Stroud, M. D., Nathan L. Hatfield, M. D., S. Weir Mitchell, M. D., John H. Brinton, M. D., Francis W. Lewis, M. D., Samuel Lewis, M. D., T. Dillard, M. D., G. H. Robinett, M. D., S. C. Brinckle, M. D.

Philadelphia County Medical Society.—Isaac Remington, M. D., president;

David Gilbert, M. D., Jos. Carson, M. D., vice-presidents; W. B. Atkinson, M. D., secretary; S. D. Gross, M. D., D. Francis Condie, M. D., Wilson Jewell, M. D., Joseph Pancoast, M. D., Charles D. Meigs, M. D., R. E. Rogers, M. D., Edward Peace, M. D., John Bell, M. D., S. Littell, M. D., W. W. Gerhard, M. D., D. Paul Lajus, M. D., Addinell Hewson, M. D., J. H. B. McClellan, M. D., A. Nebinger, M. D., D. D. Clark, M. D., E. Ward, M. D., S. Weir Mitchell, M. D., J. Cheston Morris, M. D., R. H. Townsend, M. D., T. M. Drysdale, M. D., William D. Stroud, M. D., Anthony Bournonville, M. D., W. K. Gilbert, M. D., Theophilus E. Beesley, M. D., R. S. Kenderdine, M. D., C. F. Wittig, M. D., J. H. Haskell, M. D., Robert Q. Shelmerdine, M. D., Robert C. Shelmerdine, M. D., J. Henry Smaltz, M. D., Levi Curtis, M. D., Samuel B. Wylie Mitchell, M D., Edward Maris, M. D., Augustus C. Bournonville, M. D., J. G. Hunt, M. D., James V. Emlen, M. D., George B. Wood, M. D., Franklin Bache, M. D., N. L. Hatfield, M. D., Alfred Stille, M. D., William V. Keating, M. D., Hugh L. Hodge, M. D., Joseph Leidy, M. D., Henry Hartshorne, M. D., William Pepper, M. D., Paul B. Godard, M. D., B. H. Coates, M. D., M. M. Levis, M. D., Francis West, M. D., Lewis D. Harlow, M. D., Lewis Rodman, M. D., James Aitken Meigs, M. D., John Rodman Paul, M. D., William Hunt, M. D., D. Hayes Agnew, M. D., R. J. Levis, M. D., E. B. Shapleigh, M. D., John Knorr, M. D., William Harris, M. D., John Wiltbank, M. D., W. H. Gobrecht, M. D., Samuel Jackson, M. D., A. Owen Stille, M. D., William D. Hoyt, M. D., George J. Ziegler, M. D., Washington L. Atlee, M. D., William Curran, M. D., W. Darrach, M. D., James J. Levick, M. D., J. Forsyth Meigs, M. D., William H. Hooper, M. D., Thomas Hewson Bache, M. D., John D. Griscom, M. D., E. Boylston Jackson, M. D., A. W. Griffiths, M. D., Joseph Klapp, M. D., Owen Osler, M. D., Philip De Young, M. D., J. F. Bird, M. D., R. H. Lee, M. D., Colin Arrott, M. D., W. Keller, M. D., H. Evans, M. D., Preston W. Russell, M. D., John S. Rohrer, M. D., G. Emerson, M. D., Charles Neff, M. D., D. C. Skerrett, M. D., William Notson, M. D., John Wm. Jones, M. D., F. Scoffin, M. D., A. S. McMurray, M. D., W. H. Gillingham, M. D., Henry Yale Smith, M. D., T. Stanton Crowly, M. D., A. H. Fish, M. D., B. H. Deacon, M. D., William J. Fleming, M. D., E. McClellan, M. D., L. P. Gebhard, M. D., Wm. F. Patterson, M. D., Wm. Clendaniel, M. D., Andrew Cheeseman, M. D., James N. Patterson, M. D., Joseph Heritage, M. D., J. Hershey, M. D., Wm. Byrd Page, M. D., O. J. Wister, M. D., W. N. Johnson, M. D., E. F. Leake, M. D., A. L. Kennedy, M. D., J. M. Corse, M. D., Abraham Helffenstein, M. D., R. W. Richie, M. D., A. Fricke, M. D., Wm. Ashmead, M. D., John F. Lamb, M. D., H. D. Benner, M. D., W. S. Forbes, M. D., Winthrop Sergeant, M. D., S. C. Huston, M. D., J. Hughes, M. D., E. Scholfield, M. D.

Northern Medical Association.—Joseph R. Bryan, M. D., president; L. P. Gebhard, M. D., vice-president; Wm. B. Atkinson, M. D., secretary; William Mayburry, M. D., corresponding secretary; J. Henry Smaltz, M. D., treasurer; N. L. Hatfield, M. D., R. H. Townsend, M. D., J. J. Woodward, M. D., A. M. Slocum, M. D., John Rhein, M. D., A. C. Bournonville, M. D., J. M. Eagleton, M. D., L. Curtis, M. D., Owen Osler, M. D., T. W. Craige, M. D., Theo. A. Demme, M. D., J. S. Hill, M. D., S. N. Troth, M. D., L. S. Somers, M. D., D. Gilbert. M. D., R. S. Kenderdine, M. D., R. Q. Shelmerdine, M. D., M. M. Levis, M. D., L. D. Harlow, M. D., R. J. Levis, M. D., W. L. Atlee, M. D., C. Wittig. M. D., S. Updegrove, M. D., B. Price, M. D.

Medical Society of the State of Pennsylvania.—D. F. Condie, M. D., president.

Philadelphia Medical Society.—R. La Roche, M. D., president; John Neill, M. D., vice-president; A. E. Stocker, M. D., secretary.

Pathological Society of Philadelphia.—A. Stille, M. D., president; R. La Roche, M. D., E. Hartshorne, M. D., vice-presidents; J. Da Costa, M. D., secretary; John K. Kane, assistant secretary.

Biological department of the Academy of Natural Sciences of Philadelphia.—Joseph Leidy, M. D., president; W. F. Atlee, M. D., recorder.

Profession at large.—C. P. Turner, M. D., O. A. Judson, M. D., L. D. Bodder, M. D., John Gegan, M. D., Samuel Tucker, M. D., Andrew J. Smiley, M. D., C. S. Wurts, M. D., James W. Bacon, M. D., J. R. McClurg, M. D., E. Shippen, M. D., W. S. Shippen, M. D., C. S. Bishop, M. D., Alexander C. Hart, M. D., G. J. Chamberlain, M. D., James Darrach, M. D., A. C. Deakyne, M. D., Morris J. Asch, M. D., W. N. Handy, M. D., N. C. Reid, M. D., William Graham, M. D., John H. Brinton, M. D., Robert Bolling, M. D., William M. Breed, M. D., E. L. Carter, M. D., Edward A. Spooner, M. D., George B. Morehouse, M. D., Samuel H. Ashton, M. D., Jas. D. Mundy, M. D., C. P. La Roche, M. D., W. Moss, M. D., J. K. T. Van Pelt, M. D., J. M. Boisnot, M. D., J. C. Cooper, M. D., S. H. Horner, M. D., David Burpee, M. D., A. Pennebaker, M. D., E. S. Sharp, M. D., George Spackman, M. D., Robert Foster, M. D., Edwin Fussell, M. D., William Gregg, M. D., Samuel P. Brown, M. D.

Proceedings at a meeting of the medical profession of New York.

On the 24th of June, a meeting of medical gentlemen, interested in raising a national testimonial for the benefit of the discoverer of anæsthesia, was held at the residence of Dr. Willard Parker.

The hour for organization having arrived, Dr. Parker addressed the meeting, explained its objects, and proposed for president Dr. Joseph M. Smith, which nomination having been seconded, was voted upon and carried. Dr. Gurdon Buck was then elected corresponding secretary, and Drs. Bibbins and Thomas recording secretaries.

The meeting being now duly organized, the business of the evening was called for, and proceeded in this wise:

1. Dr. John Watson read a list of the names of some of the most prominent, benevolent, and wealthy of the citizens of New York, and proposed that each gentleman present should charge himself with visiting such of them as he had most influence with, and raising as large subscriptions as possible to head the list. This was acted upon; a list of one hundred names was read, and the duty of canvassing them assumed by various gentlemen composing the meeting.

2. Dr. Buck moved that a committee of medical men be appointed to confer with gentlemen out of the profession as to the most efficient means for accomplishing the end in view. This was seconded by Dr. Parker and carried. On the committee the president then appointed Drs. John W. Francis, Willard Parker, John Watson, Valentine Mott, James Minor, J. Marion Sims, James R. Wood, Gurdon Buck, and Joseph M. Smith; and, upon motion of Dr. Sayre, the president was added to it. This committee, it was agreed, should meet at the house of Dr. Parker at an early date.

3. It was then moved by Dr. Parker that a committee of one selected from the medical board of each public charity of the city and its vicinity should be appointed to wait upon the boards directing the various institutions, and solicit donations in behalf of the object which has called us together this evening. This motion was seconded by Dr. Watson and carried. The following appointments were then made by the chair: Dr. Gurdon Buck, New York Hospital; Dr. James R. Wood, Bellevue Hospital; Dr. J. M. Carnochan, Emigrants' Hospital; Dr. William H. Van Buren, St. Vincent's Hospital; Dr. Benjamin Ogden, St. Luke's Hospital; Dr. J. Moses, Jews' Hospital; Dr. J. M. Sims, Women's Hospital; Dr. G. L. Elliott, Child's Hospital; Dr. Elisha Harris, Quarantine Hospital; Dr. T. F. Cock, New York Lying-in Asylum; Dr. Hutchinson, Brooklyn City Hospital; Dr. Ayres, Long Island College Hospital; Dr. Fitch, Colored Home Hospital; Dr. Dubois, New York Eye Infirmary; Dr. Garrish, New York Ophthalmic Hospital.

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4. It was moved by Dr. Watson that the minutes of this meeting be transmitted to Dr. William T. G. Morton by the secretary, which was carried.

No further business appearing, the meeting then adjourned.

JOSEPH M. SMITH, M. D., *President.*

GURDON BUCK, M. D., *Corresponding Secretary.*

T. GAILLARD THOMAS, M. D., *Recording Secretary.*

The New York Appeal.

The medical profession have from the earliest ages felt the need of some safe and efficient agent for annulling pain.

The ordinary anodynes long in use have never supplied this deficiency, and the various new agents which, within the past sixty or eighty years, have been substituted for these, have, until recently, proved either too dangerous or too unreliable to be employed in general practice.

Wine and strong alcoholic drinks, given in such quantity as to induce intoxication, were occasionally employed, even before the commencement of the present century, for rendering persons insensible to the pain of surgical operations. With the same end in view, some surgeons, addressing the intellect, were in the habit of exciting sudden fear, alarm, or astonishment, to divert the attention of their patients. Others, again, resorted to the uncertain and inexplicable influence of mesmerism. Still more recently, the nitrous oxide gas, administered by inhalation, has, as originally suggested by Sir Humphry Davy, been employed for producing temporary loss of consciousness. But this, too, after a fair trial, has failed, and the hopes founded upon it have proved nugatory and delusive. So that, up to this point, the want of a reliable agent for rendering the human body insensible to pain—a want so long felt, and to obviate which so many fruitless efforts had been made—was still to be supplied. That want, however, has since been fully met.

The first great triumph of placing in the hands of the profession an agent capable of rendering the patient safely, and, at will, utterly insensible to the stroke of the surgeon's knife, was in detecting and establishing by experiment the anæsthetic powers of sulphuric ether. For this discovery the world is indebted to Dr. William T. G. Morton, of Boston.

Whatever may have been the steps preliminary to this remarkable discovery, Dr. Morton's claim to it is established beyond all controversy, and his merit in this respect, with those who have taken the trouble to inform themselves on the subject, can be no longer a question of dispute.

Nor can the importance of his early investigations and experiments, under the guidance of Providence, in reference to the properties and uses of ether, be at the present day too highly estimated. The introduction of this agent as an anæsthetic, and of the various other agents of the same class—as chloroform, amyline, and the like—to which this directly led, has done more for the mitigation of human suffering than any other discovery, with the exception, perhaps, of vaccination, for which the world is indebted to medical science in either ancient or modern times.

The benefit derived from these newly-discovered agents is not confined to the hardier procedures of operative surgery. They are now in hourly requisition in every quarter of the civilized world for suspending all sense of suffering during the severest throes of childbirth, for arresting convulsions, for relaxing spasms, for suspending volition and overcoming muscular resistance during the reduction of fractures and dislocations, for allaying restlessness, wakefulness, and morbid excitability; even for assuaging the pangs of approaching dissolu-

tion, not to speak of the almost innumerable minor uses to which they are applied, as well in the investigation as in the treatment of disease.

In view of these advantages from the use of anæsthetics, we feel that Dr. Morton, the first to demonstrate their safety and efficiency, and to establish them in general practice, has conferred a boon upon humanity as imperishable as it is important, and one of such a character as to entitle him to rank among the benefactors of mankind.

As members of the medical profession in the city of New York, and as physicians and surgeons to the various hospitals and infirmaries in this city and its vicinity, we therefore rejoice to learn that a movement has been commenced by our professional brethren and other gentlemen of Boston, to establish a national testimonial, by voluntary subscriptions, for the benefit of Dr. Morton. In this movement, after full deliberation and consultation among ourselves, we are ready to participate, in accordance with the plan of those who originated it, which plan is set forth by the gentlemen of Boston in the following terms:

We propose that a national subscription be instituted, the avails of which shall be paid into the hands of Thomas B. Curtis and Charles H. Mills, esquires, as trustees, to be held, appropriated, and invested upon such trusts, and for such uses, for the benefit of Dr. Morton, as the trustees may determine.

Under governments more arbitrary and restrictive than our own, but more capable of meeting the claims of science, the awards of merit are not usually left, as with us, to the bounty of private individuals. Discoveries and improvements of infinitely less importance to science or humanity than that for which we are indebted to Dr. Morton are at the courts of Europe promptly met by national honors and emoluments.

In our own country, it is true, the national government, after carefully investigating Dr. Monton's claims, has acknowledged the benefit he has conferred upon it, but has nevertheless failed, as yet, to supply the recompense.

With these remarks, we have the honor of recommending Dr. Morton's claims for remuneration to the consideration of our fellow-citizens, and of soliciting their subscriptions in behalf of the fund which it is proposed to raise for his benefit.

What the government in this respect has failed to do, it is to be hoped, for the credit of the American name, and from the noble individual examples already set, that the discerning and liberal people of the United States will not leave entirely unaccomplished.

PHYSICIANS AND SURGEONS.

New York Hospital and Bloomingdale Asylum.—Thos. Cock, M. D., consulting physician; Jos. M. Smith, M. D., attending physician: John H. Griscom, M. D., attending physician; Henry D. Bulkley, M. D., attending physician; Thos. F. Cock, M. D., attending physician; Valentine Mott, M. D., consulting surgeon; Alexander H. Stevens, M. D., consulting surgeon; Richard K. Hoffman, M. D., consulting surgeon; Alfred C. Post, M. D., consulting surgeon; Gurdon Buck, M. D., attending surgeon; John Watson, M. D., attending surgeon; Thad. M. Halsted, M. D., attending surgeon; Thos. M. Markoe, M. D., attending surgeon; Wm. H. Van Buren, M. D., attending surgeon; Willard Parker, M. D., attending surgeon.

Bellevue Hospital, and of the other institutions under the charge of the board of governors of the almshouse.—John W. Francis, M. D., consulting physician; Isaac Wood, M. D., consulting physician; R. W. McCready, M. D., attending physician; John T. Metcalfe, M. D., attending physician; Isaac E. Taylor, M. D., attending physician; B. Fordyce Barker, M. D., attending physician; Geo. T. Elliott, M. D., attending physician; Valentine Mott, M. D., consulting urgeon; Ale x. H. Stevens, M. D., consulting surgeon; Jas. R. Wood, M. D.,

attending surgeon; Chas. D. Smith, M. D., attending surgeon; Lewis A. Layre, M. D., attending surgeon; J. J. Crane, M. D., attending surgeon; W. Parker, M. D., attending surgeon; Stephen Smith, M. D., attending surgeon.

Nursery Hospital, Randall's Island.—Henry N. Whittlesey, M. D., resident physician.

Quarantine Hospital, Staten Island.—R. N. Thompson, M. D., health officer, port of New York; Theo. Watson, M. D., assistant physician, Quarantine Hospital.

Blackwell's Island Hospitals, (Penitentiary Hospital, Smallpox Hospital, and Almshouse.)—William H. Sanger, M. D., resident physician.

New York Lunatic Asylum.—M. H. Ranney, resident physician.

State Emigrant Asylum.—J. M. Carnochan, M. D., surgeon-in-chief; T. C. Selden, M. D., surgeon; H. Guleke, M. D., surgeon; Henry B. Fay, M. D., physician-in-chief; Francis Simrock, M. D., physician; G. Ford, M. D., physician.

St. Vincent's Hospital.—Thos. E. Burtsell, M. D., attending physician; James O'Rorke, M. D., attending physician; Wm. H. Van Buren, M. D., attending surgeon; Alex. B. Mott, M. D., attending surgeon; Thos. C. Finnell, M. D., attending surgeon.

St. Luke's Hospital.—D. E. Eiginbrodt, resident physician.

Jews' Hospital.—V. Mott, M. D., consulting surgeon; W. Parker, M. D., consulting surgeon; T. M. Markoe, M. D., attending surgeon; Alex. B. Mott, M. D., attending surgeon; J. Moses, M. D., attending surgeon; C. R. Gilman, M. D., attending physician; W. H. Maxwell, M. D., attending physician.

New York Eye Infirmary.—A. Dubois, M. D., surgeon; Gurdon Buck, M. D., surgeon; T. M. Halsted, M. D., surgeon; C. R. Agnew, M. D., surgeon; F. J. Bumstead, M. D., assistant surgeon; J. H. Hinton, M. D., assistant surgeon.

New York Ophthalmic Hospital.—Mark Stephenson, M. D., surgeon; John P. Garrish, M. D., surgeon.

Colored Home Hospital.—G. A. Sabine, M. D., consulting surgeon; W. Parker, M. D., consulting surgeon; J. S. Thebaud, M. D., consulting surgeon; J. D. Fitch, resident physician.

Women's Hospital.—J. Marion Sims, M. D., surgeon.

New York Lying-in Asylum.—T. F. Cock, M. D., consulting physician; J. T. Metcalfe, M. D., consulting physician; G. T. Elliott, M. D., consulting physician.

Nursery and Child's Hospital.—G T. Elliott, M. D., attending physician; H. C. Cox, M. D., attending physician; Geo. A. Peters, M. D., attending physician; F. U. Johnston, M. D., attending physician.

Demilt Dispensary.—Jno. O. Bronson, M. D., house physician; Wm. B. Bibbins, M. D., visiting physician; D. L. Conant, M. D., attending surgeon; T. G. Thomas, M. D., attending physician; Gouv. M. Smith, M. D., attending physician; I. Cummings, M. D., assistant visiting physician; W. R. Donaghe, M. D., attending surgeon; Elisha Harris, M. D., attending physician; Jno. A. Bartholf, M. D. attending physician.

New York Academy of Medicine.—J. F. Batchelder, M. D., president; John Watson, M. D., vice-president; W. H. Van Buren, M. D., vice-president; S. Conant Foster, M. D., vice-president; C. E. Isaacs, M. D., vice-president; C. T. Heywood, M. D., recording secretary; S. T. Hubbard, M. D., dom. corresponding secretary; Jas. O. Pond, M. D., treasurer; Samuel Rotten, M. D., librarian; W. W. Blakeman, M. D., trustee; Ed. L. Beadle, M. D., trustee; Benj. Ogden, M. D., trustee; F. U. Johnston, M. D., assistant secretary; B. F. Barker, M. D., resident fellow; Gurdon Buck, M. D., resident fellow; H. D. Bulkley, M. D., resident fellow; F. J. Bumstead, M. D., resident fellow; Thos. Cock, M. D., resident fellow; Thos. F. Cock, M. D., resident fellow; J. J.

Crane, M. D., resident fellow; Geo T. Elliott, M. D., resident fellow; T. C. Finnell, M. D., resident fellow; J. W. Francis, M. D., resident fellow; J. P. Garrish, M. D., resident fellow; C. R. Gilman, M. D., resident fellow; J. H. Griscom, M. D., resident fellow; T. M. Halsted, M. D., resident fellow; E. Harris, M. D., resident fellow; J. H. Hinton, M. D., resident fellow; Isaac Wood, M. D., resident fellow; J. R. Wood, M. D., resident fellow; Jas. Anderson, M. D., resident fellow; E. Acosta, M. D., resident fellow; E. H. Davis, M. D., resident fellow; A. K. Gardner, M. D., resident fellow; Ed. Delafield, M. D., resident fellow: Joel Foster, M. D., resident fellow; J. C. Beales, M. D., resident fellow; R. W. Barry, M. D., resident fellow; H. W. Brown, M. D., resident fellow; J. C. Forrester, M. D., resident fellow; H. S. Downs, M. D., resident fellow; F. S. Edwards, M. D., resident fellow; F. Flliott, M. D., resident fellow; R. Pennell, M. D., resident fellow; T. W. Richards, M. D., resident fellow; A. Underhill, M. D., resident fellow; Jos. Wooster, M. D., resident fellow; J. W. S. Goulcy, M. D., resident fellow; E. H. Janes, M. D., resident fellow; C. Heuschell, M. D., resident fellow; A. Gescheidt, M. D., resident fellow; A. N. Gunn, M. D., resident fellow; Wm. H. Maxwell, M. D., resident fellow; E. Hall, M. D., resident fellow; Jared Linsley, M. D., resident fellow; John McClelland, M. D., resident fellow; E. Lee Jones, M. D., resident fellow; B. W. McCready, M. D., resident fellow; W. Parker, M. D., resident fellow; G. A. Sabine, M. D., resident fellow; L. A. Sayer, M. D., resident fellow; J. M. Sims, M. D., resident fellow; C. D. Smith, M. D., resident fellow; M. Smith, M. D., resident fellow; Mark Stephenson, M. D., resident ellofw; J. E. Taylor, M. D., resident fellow; T. G. Thomas, M. D., resident fellow; W. H. Van Buren, M. D., resident fellow; Wm. Minor, M. D., resident fellow; Jos. Martin, M. D., resident fellow; J. W. Ranney, M. D., resident fellow; John Priestley, M. D., resident fellow; Alex. H. Stevens, M. D., resident fellow; W. C. Livingston, M. D., resident fellow; Stephen Smith, M. D., resident fellow; Geo. Lewis, M. D., resident fellow; Jas. D. Fitch, M. D., resident fellow; Charles A. Budd, M. D., resident fellow; N. C. Husted, M. D., resident fellow; Th's W. Horsfield, M. D., resident fellow.

New York Medical College.—Horace Green, M. D., president of faculty; E. H. Davis, M. D., professor of materia medica; B. F. Barker, M. D., professor of obstetrics; R. Ogden Doremus, M. D., professor of chemistry; J. M. Carnochan, M. D., professor of surgery; H. G. Cox, M. D., professor of theory and practice; E. R. Peaselee, M. D., professor of physiology; Chas. A. Budd, M. D., lecturer on obstetrics.

New York Pathological Society.—E. R. Peaselee, M. D., president; E. Harris, M. D., vice-president; E. Lee Jones, M. D., secretary; W. B. Bibbins, M. D., treasurer; T. C. Finnell, M. D., curator.

Brooklyn City Hospital.—James Crane, M. D., attending physician; H. S. Smith, M. D., attending physician; George Cochran, M. D., attending physician; C. E. Isaacs, M. D., attending surgeon; Daniel E. Kissam, attending surgeon; J. C. Hutchinson, attending surgeon; Jos. M. Minor, M. D., attending surgeon.

College of Physicians and Surgeons.—Thomas Cock, M. D., president; Ed. Delafield, M. D., emeritus professor of obstetrics; Willard Parker, M. D., professor of surgery; Joseph M. Smith, M. D., professor of materia medica; C. R. Gilman, M. D., professor of obstetrics,

University Medical College.—Wm. H. Van Buren, M. D., professor of anatomy; Alfred C. Post, M. D., professor of surgery; J. T. Metcalfe, M. D., professor of practice.

The Boston Appeal.

To the Public: The power of etheric vapors to produce a safe insensibility to pain during surgical operations, and on other occasions of great physical suffering, is one of the most beneficent discoveries that has been conferred upon the human race. It is generally conceded that Dr. W. T. G. Morton, of Boston, was instrumental in presenting this fact to the world. Nearly the whole of the medical profession [see page 35 *et seq.*] of this city, in the midst of whom the discovery was made, together with other bodies of competent persons, who have investigated its origin, have, after careful scrutiny, concurred in assigning this merit to Dr. Morton, and public opinion has long since confirmed their verdict.

It is not necessary to enter in detail into the circumstances which have prevented Dr. Morton from receiving any pecuniary benefit from this discovery.

The fact is certain, that Dr. Morton has been an instrument, under Divine Providence, of introducing to the world one of the most remarkable discoveries of this or any other age, and that he has received no reward for it but the consciousness of having done so.

We are sure that we interpret the feeling of thousands when we say that a substantial national memorial should be presented to Dr. Morton.

How often has the poor sufferer risen from beneath the surgeon's knife, with nerves untouched by the slightest sensation of the torture that would otherwise have been his! How often has the mother passed in unconscious slumber, through "the perils of childbirth," to wake to her new happiness, without one memory of its agonies, and breathed, with the prayer of thanksgiving to God, a thought of him—to her, perhaps, the unknown discoverer—whose happy conception, perseverance, and courage, first established the astonishing fact that the human frame may suffer all the conditions, and not one of the sensations of pain! What has already occurred throughout the whole world since this discovery was made; in hospitals, in private chambers of the sick, on fields of battle, on the ocean, and on the land—wherever humanity undergoes the "ills that flesh is heir to"—is to occur through countless ages, while the race is left upon earth! And yet, year rolls after year, and the spontaneous gratitude that is felt and uttered whenever and wherever this great discovery is used or contemplated, finds no permanent voice, because no efforts are made to concentrate and direct it to its object.

We propose that such efforts be now made. We think that the people of the United States, acting individually, should do what their government has neglected, or been unable to do. National testimonials, established by the voluntary contributions of individuals, have been adopted in all countries, to mark the public sense of services to the human family, especially when such services have reflected honor and distinction upon the country where they have been performed.

We propose that a national subscription be instituted, the avails of which shall be paid into the hands of Amos A. Lawrence and John Lowell, esquires, as trustees—to be held, appropriated, and invested upon such trusts, and for such uses, for the benefit of Dr. Morton, as the trustees may determine.

James Jackson, M. D., Jacob Bigelow, M. D., S. D. Townsend, M. D., John Jeffries, M. D., Edward Reynolds, M. D., John Homans, M. D., M. S. Perry, M. D., O. W. Holmes, M. D., John Ware, M. D., George Hayward, M. D., J. Mason Warren, M. D., Henry J. Bigelow, M. D., Charles G. Putnam, M. D., Richard H. Dana, jr., esq., Alexander H. Vinton, D.D., S. K. Lothrop, D. D., John B. Fitzpatrick, bishop of Boston, William H. Prescott, historian, N. Adams, D. D., Hon. Rufus Choate, Charles P. Curtis, esq., F. C. Loring, esq.,

Hon. G. S. Hillard, William Dehon, esq., Benj. Peirce, professor Harvard University, F. D. Huntington, D. D., Henry W. Longfellow, professor Harvard University, Jared Sparks, president Harvard University, R. B. Forbes, esq., P. W. Chandler, esq., Alex. H. Rice, mayor of Boston, Hon. Robert C. Winthrop.

MEMORIAL OF THE MEMBERS OF THE MASSACHUSETTS MEDICAL SOCIETY.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The undersigned hereby testify to your honorable body that, in their opinion, Dr. William T. G. Morton first proved to the world that ether would produce insensibility to the pain of surgical operations, and that it could be used with safety. In their opinion, his fellow-men owe a debt to him for this knowledge. Wherefore they respectfully ask a recognition by Congress of his services to his country and mankind:

John C. Warren, M. D., senior surgeon Massachusetts General Hospital, and late president American Medical Society, and emeritus professor of anatomy of Harvard University; George Hayward, M. D., president Massachusetts Medical Society and surgeon Massachusetts General Hospital; J. Mason Warren, M. D., surgeon Massachusetts General Hospital; S. D. Townsend, M. D., surgeon Massachusetts General Hospital; S. Parkman, M. D., surgeon Massachusetts General Hospital; Henry G. Bigelow, M. D., surgeon Massachusetts General Hospital, and professor of surgery Harvard University; Henry G. Clark, M. D., surgeon Massachusetts General Hospital and city physician; Jacob Bigelow, M. D., professor materia medica Harvard University, and president of the American Academy of Arts and Sciences, and physician to Massachusetts General Hospital; Oliver W. Holmes, M. D., professor of anatomy, Harvard University; Henry I. Bowditch, M. D., physician Massachusetts General Hospital; D. Humphreys Storer, M. D., physician Massachusetts General Hospital; M. S. Perry, M. D., physician Massachusetts General Hospital; James Jackson, M. D., George C. Shattuck, M. D., John Jeffries, M. D., Edward Reynolds; M. D., consulting physicians and surgeons Massachusetts General Hospital; Edward Reynolds, M. D., W. Hooper, M. D., George A. Bethune, M. D., Massachusetts Charitable Eye and Ear Infirmary; John L. Fox, M. D., surgeon United States navy, Chelsea Naval Hospital; Walter Channing, John Homans, president Suffolk District Medical Society; Z. B. Adams, John C. Hayden, John Ware, Ephraim Buck, George Bartlett, Jonas H. Lane, Anson Hooker, Henry Dyer, Augustus A. Gould, Charles Gordon, Joseph S. Jones, Samuel Kneeland, jr., T. Fletcher Oakes, George Hubbard, Charles W. Moore, Richard H. Salter, Fytche Edward Oliver, William J. Dale, William Edward Coale, James W. Stone, B. W. Newell, Francis A. Willard, William Hawes, Charles Mifflin, J Wippasne, Abraham A. Watson, Aaron P. Richardson, Henry A. Ward, William Bowen Morris, James B. Gregorson, William W. Morland, M. C. Greene, Horace Stacey, Franklin F. Patch, Samuel L. Abbott, John H. Dix, James Ayer, Joseph J. Fales, P. Wilbrand, Ezra Bartlett, S. F. Parcher, James Hyndman, Henry S. Lee, E. D. Cleveland, John Stevens, Ira W. Tobie, J. Everett Herrick, N. C. Stevens, Enock C. Rolfe, Henry Willard, A. Alexander, D. McGowan, Thomas R. Owens, Luther Clark, Charles T. Hoffenvane, Samuel Morrill, Silas Durkee, George Stevens Jones, Jesse Chickering, J. A. Tarbell, George H. Lyman, Henry W. Williams, J. Randolph Lincoln, George Derby, Warren J. Whitney, Francis Minot, D. D. Slade, W. E. Townsend, John B. Alley, George H. Gay, Luther Parks, jr., William G. Wheeler, F. H. Gray, James F. Harlow George Russell, Charles E. Ware, E. W. Blake, Edward H. Clark, Samuel Gregg, E. D, Miller, C. G. Putnam, Charles A. Phelps, John Odin, jr., Joseph

Reynolds, George Hayward, jr., Henry Osgood Stone, G. Newton Thompson, J. M. Phipps, Abner Phelps, Josiah Curtis, E. D. G. Palmer, Daniel V. Folts, R. L. Hinckley, J. W. Hinckley, M. B. Leonard, P. E. Molloy, Henry Bryant, Charles E. Buckingham, J. W. Warren, jr., D. D. Smith, George Tower, William Read, J. F. W. Lane, Const. B. O'Donnell, M. R. C. S. E., John S. H. Fogg, Edmund T. Eastman, William S. Coffin, John C. Sharp, Alexander S. Butler, Benjamin B. Appleton, M. Mattson, David Thayer, J. C. Sanborn, E. A. Kittredge.

Charlestown.—E. E. Braun, A. J. Bellows, Benjamin Seabury, George W. Otis, jr., Charles H. Allen. A. C. Webber, I. P. Alden, W. W. Wellington, H. L. Chase, Charles F. Foster, A. J. Cummings, Thomas J. Stevens, Hutchinson Germaine, Alexander Poole, James B. Forsyth, John Toomey.

Chelsea.—William Ingalls, physician and surgeon United States Marine Hospital.

Salem.—A. L. Peirson, William Mack, George Choate, William Henry Prince, J. G. Wood, James Stone, jr., E. B. Pierson, George C. S. Choate, George A. Perkins, H. Wheatland, Samuel Johnson, Edward A. Holyoke

Taunton.—Alfred Baylies, H. B. Hubbard, Horace Bowen, Ebenezer Dawes, William Dickinson, Daniel King, George Leonard.

Newburyport.—E. Cross, S. M. Gale.

Lynn.—A. S. Adams, J. T. Galloupe, Daniel Perley, D. A. Johnson, E. Porter Eastman, James M. Nye, John Renton, Nathaniel Ruggles, Charles M. Weeks, Edward Newhall.

Worcester.—Henry Clarke, Samuel Flagg, George A. Bates, Charles W. Whitcomb, Joseph Sargent, Oramel Martin, William Workman, Rufus Woodward, Henry Sargent, A. Goulet, P. B. Mignoult, Benjamin Heywood, John E. Hathaway.

Springfield.—James M. Smith, Edwin Seeger, N. Adams, A. S. McClean, Alfred Lambert, C. C. Chaffee, H. A. Hamilton, Henry B. Vaille, D. C. Perkins.

Pittsfield.—H H. Childs, president of Berkshire Medical Institution; N. S. Barnes, O. S. Root, Frank A. Cady, O. E. Brewster, Nathaniel Foote, Avery Williams, A. N. Allen, L. F. Humeston, Willard Clough, Clark F. Hall, N. J. Wilson.

New Bedford.—T. S. Mayhew, Johnson Clark, John H. Jennings, William A. Gordon, Elijah Colby, C. D. Stickney, John Howell Mackie, Paul Spooner.

Fall River.—James W. Hartly, P. A. Smith, Jerome Dwelly, Foster Hooper, E. T. Learned.

Lowell.—John O. Green, Henry Whiting, J. P. Jewett J. D. Pillsbury, Elisha Huntington, John W. Graves, Charles A. Savery, Joel Spalding, David Wells, Benjamin Skelon, H. Pillsbury, P. P. Campbell, L. B. Morse, Charles A. Davis, Ployer G. Kittredge, Daniel Holt, Daniel Mowe, J. W. Scribner.

Lawrence.—George W. Sanborn, William D. Lamb, David Dana, J. H. Morse.

South Andover.—James Howarth, W. H. Kimball.

Dedham.—Jeremy Stimson, D. P. Wight, H. F. Spear.

Fitchburg.—Thos. R. Boutelle, Levi Pillsbury, T. W. Wadsworth, W. M. Barrett, Henry M. Linrad.

Plymouth.—James L. Hunt, Winslow Warren, Benjamin Hubbard, Timothy Gordon.

Hingham.—Ezra Stephenson, Robert T. P. Fiske.

Quincy.—Ebenezer Woodward, William G. Pattie, W. Goddard.

Danvers.—Andrew Nicholls, Joseph Osgood, David A. Grosvenor, George Osgood.

Marblehead.—James C. Briggs, Chandler Flagg, Daniel Gill.

Beverly.—W. C. Boyden, Charles Haddock, Ingalls Kittredge.

Gloucester.—Isaac P. Smith, C. H. Hildreth, George W. Smith.
Rockport.—Benjamin Haskell, Lemuel Gott, Oscar D. Abbott.
Newton.—Henry Bigelow, Cyrus K. Bartlet.
Framingham.—Simon Whitney, Allston W. Whitney.
Milford.—Francis Leland, Theodore O. Cornish.

Historical statement.

The foregoing pages set forth in outline the fact that there is a very general movement among the American people, inaugurated by leading members of the profession in Boston, New York, and Philadelphia, in behalf of one of the most praiseworthy objects which can appeal to patrons of science or the friends of humanity. They show that the noble work is at *last* undertaken, which, for more than twelve years, has been neglected by Congress, to preserve the shelter of a home for the family of a nation's benefactor, still living, from the clamorous creditors to whom it was pledged for debts incurred in making and promulgating a discovery which, though leaving the discoverer poor, has made the whole world his debtor, and to place their future life beyond the chances and vicissitudes of fortune, by the purchase of an annuity.

The discovery made by Dr. Wm. T. G. Morton, of Boston, of the anæsthetic properties of sulphuric ether, and the safety, certainty, and reliability of its effects in making the severest surgical operations, childbirth, and other scenes and conditions of physical suffering, perfectly painless, is a discovery already ranked by the medical profession above that of vaccination by Jenner, to whom the English Parliament voted large sums of money, and for whom national testimonials were raised and medals struck in other nations; a discovery whose benefits are not confined to the subjugation of pain, but which are continually unfolding in new departments of the healing art.

This national movement was with great propriety inaugurated in Boston, the city where the discoverer lived and practiced his profession, and where the first successful painless surgical operation was performed. An organization to raise a national testimonial fund in his behalf, with trustees residing in Boston, and treasurers in the principal cities in the United States, is already established. Though it is hardly passed beyond its inchoate period, it has enlisted the energetic co-operation of some of the most eminent and patriotic persons in the Union. All will learn with surprise that two hundred thousand dollars will not more than reimburse the discoverer of this anæsthetic agent for his outlays in making experiments which led to the discovery, in establishing its value, in compelling its acceptance by the world in spite of incredulity and indifference, in establishing the priority of his claims over *post facto* discoverers, and in applications to Congress to induce them to reimburse him for his actual expenditures.*

A handsome beginning for the collection of this sum has already been made, though much remains to be done. The fund has received, as was most fitting, from the medical institutions of Boston and vicinity, and from eminent and wealthy persons residing in that seat of literature and science, munificent subscriptions. New York, too, represented in the same way by her medical institutions and her wealthy citizens, has shown an equal promptitude in discharging this debt of honor, too long owing to a nation's benefactor.

Such is a brief and general statement of the objects to be accomplished, and the present state of the enterprise.

It is not necessary to argue at any great length for the character or success of this undertaking. That would be almost an insult to the long list of men distinguished in all the professions, and honorably known in commerce or in the more secluded walks of private life, who now appeal to the public at large to do

* See "Trials of a Public Benefactor."

justice in this matter. To doubt its success would be to challenge the sincerity of the great bulk of the medical profession in Massachusetts, New York, and Philadelphia, who ask subscriptions to this fund—would be to say that the world has gone back in the present century, and that the justice given to Jenner, who conquered small-pox in the last century, would be denied to Morton, who may be said to have conquered pain in this.

It may not be out of place, however, to recall here the universal thrill of joy that was felt when it was first announced to the world how the subtle spirit of ether would almost everywhere subdue pain, in the severest surgical operations, in the pangs of parturition, in the numberless cases at the hospitals, on battle-fields in time of war, in cottages "in piping times of peace," removing, as has been well said, "half the primal curse," and more than justifying the unstinted praise of the foregoing appeal of the medical profession in New York, which says:

"In view of these advantages from the use of anæsthetics, we feel that Dr. Morton, the first to demonstrate their safety and efficiency, and to establish them in general practice, has conferred a boon upon humanity as unperishable as it is important, and one of such a character as to entitle him to rank among the benefactors of mankind."

Neither is this the place or time to set forth as they deserve the labors and the sufferings which Dr. Morton has undergone in the twelve years which have succeeded his great discovery. The story of his wrongs, his patience, his perseverance, his unconquerable energy, his poverty, his enthusiasm, his success in achieving an imperishable honor, and his failure in obtaining the slightest emolument for an invaluable discovery, which the world now freely and daily uses, has more than the interest of romance.* They constitute a record which, except it is ended by the success of the movement whose inauguration has been set forth in the foregoing pages, will stand a burning disgrace and scandal to the profession and the world which have appropriated and used a discovery, and left the discoverer to starve. Shall it be said that, through his connexion with so great a benefaction to the human race, Dr. Morton is to be left unable to preserve to his children the paternal acres pledged in securing it; unable to educate his children, without any adequate means of support, and, worse than all, unable to secure for himself that quiet mode of life demanded by the ruined health consequent upon his hazardous experiments, and upon living in an atmosphere of ether for so many months, and upon the labors and sufferings which he underwent in detecting and establishing the anæsthetic properties of the sulphuric ether? These appellants, therefore, now appeal directly to the heart of the country, which rarely fails to disprove the heartless maxim that "republics are ungrateful," and which will never suffer a state of things so discreditable as that which we have briefly depicted long to last.

It is true that this mode of raising funds to consummate a simple act of justice is laborious and tedious. The present success of the movement shows, however, that that is the only great objection, and that individuals and institutions, and the country at large, are ready and anxious to discharge their obligations. The "ether controversy" has had the one good effect of waking up the public to the existence of those obligations. The sum required to accomplish the reimbursement and effect the designs of the appellants is, as we have said, a large one, and its collection by individual contributions, over an extent of country so vast as ours, is one of time; but it will derive an additional value as coming directly from the people, and the zeal and energy with which it has been entered upon by the profession in this city and elsewhere is the best augury of success. May it soon be impossible for one of the greatest benefactors of the human race who has appeared in this century to say, "It were better for me, infinitely better

* See "Trials of a Public Benefactor."

for me and my wife and children, better for me and them in all respects, if I had buried the secret of the victory over pain in my breast forever, and suffered centuries to elapse before it came forth to the knowledge of the world by some other hand, than to do as I did, hasten to make it known by all forms and modes of speech, and at every risk of health, property, and even life."

PROCEEDINGS OF HOSPITALS.

Massachusetts General Hospital.

The undersigned, to whom a proposition of the trustees of this hospital should contribute a fund to be established for the benefit of Doctor Morton was referred, report:

That Doctor Morton is known to have been chiefly instrumental in conferring a great good upon his race;

That his agency in a discovery which has already relieved multitudes from suffering has yielded to him no pecuniary compensation for its acknowledged benefits, but has, on the contrary, been attended by many sacrifices;

That his only rewards have been the consciousness of a great service rendered, and a title to fame;

That the government of the country has omitted to provide a proper reward;

That justice entitles him to remuneration, and that the only mode in which it seems to be probable that the means of doing that justice can be furnished is through voluntary contributions from the philanthropic, in some such form as is now suggested.

Therefore, your committee think that the object is proper, and that its early attainment is to be desired; so that the only question is whether the trustees may properly contribute of the funds of this institution for its promotion.

No ordinary circumstance would justify the trustees, should they apply any portion of the funds under their control to any object other than the direct relief of the sick under their care.

But the relations between Doctor Morton and this hospital, in regard to the great discovery which prompts the proposed memorial, are peculiar.

The first important surgical operation to which that discovery was applied was performed within its walls at his instance.

At a time when he supposed that his agency in it would be pecuniarily rewarded by those who should derive benefits from it, he conferred upon this hospital the right to profit by it in all cases without any charge.

We have been and shall continue to be bonefited by it, to an extent which no reasonable amount of money could compensate for.

Doctor Morton and his friends think that the refusal of the trustees of the Massachusetts General Hospital to subscribe to the contemplated fund would prevent its foundation. In view of all the circumstances, your committee think that apprehension well founded.

When individuals have made bequests, or rendered remarkable services to the institution, the trustees have deemed it proper to expend such sums as may have been required to procure appropriate memorials of them, to be preserved within the walls of the hospital; and your committee think that the propriety of a subscription toward the fund which it is now proposed to establish for the benefit of Doctor Morton would rest safely on the grounds which have been found sufficient in such cases.

They therefore recommend that the subjoined vote be passed.

J. THOMAS STEVENSON,
JOHN LOWELL,
Committee.

BOSTON, *February* 22, 1857.

Voted, That the chairman of this board be requested to subscribe, on behalf of the Massachusetts General Hospital, *one thousand dollars* toward the fund which it is proposed to establish for the benefit of Doctor W. T. G. Morton, as a memorial of the great service which that gentleman has rendered to science and to humanity, in connexion with the discovery of the uses of ether.

Trustees.—Henry B. Rogers, John P. Bigelow, James B. Bradlee, William S. Bullard, William J. Dale, William W. Greenough, Thomas Lamb, John Lowell, Bobert M. Mason, Charles H. Mills, J. Thomas Stevenson, Edward Wigglesworth.

Massachusetts Eye and Ear Infirmary.

Voted, That the secretary of this board be authorized to subscribe, on behalf of the Massachusetts Charitable Eye and Ear Infirmary, *two hundred dollars* toward the fund to be raised for the benefit of Doctor W. T. G. Morton, as a recognition of the greatest discovery of modern times, and an acknowledgment of the great service which that gentleman has rendered to science and humanity by the discovery of the uses of ether.

Trustees.—J. H. Walcott, J. W. Edmands, Henry Rice, Doctor E. Reynolds, G. H. Shaw, C. H. Mills, R. W. Hooper, Moses Grant, James Lawrence, Doctor S. D. Townsend, J. A. Blanchard.

THEODORE FROTHINGHAM,
Secretary.

New York Hospital.

"GEORGE T. TRIMBLE, Esq., *President of the Board of Governors of the New York Hospital:*

"SIR: The members of the medical profession of New York have made an appeal in behalf of Dr. Wm. T. G. Morton, of Boston, who was the first to discover and demonstrate by experiment the power of sulphuric ether to render the human economy insensible to pain under surgical operations.

"The object of this appeal is to raise, by voluntary contributions, a fund, as a national testimonial for his benefit, such as shall be a worthy acknowledgment of the priceless value of a discovery which has already done and is constantly doing so much to diminish human suffering.

"Boston, the scene of Dr. Morton's labors, has taken the initiation in this effort, and has made a noble beginning.

"It is believed that the action of the New York Hospital in reference to this appeal will exert an important influence on other kindred institutions in this city and elsewhere, and it is therefore earnestly hoped that the object will be regarded with favor by the board of governors. Nowhere in our whole land are the benefits of this discovery more constantly witnessed than in the New York Hospital, and there seems to be special propriety in such an institution acting a conspicuous part in acknowledging our common indebtedness to the discoverer of such a boon to suffering humanity.

"Having been delegated to present this object to your board, I beg leave, Mr. President, through you, to submit this communication, with the accompanying appeal, to that honorable body for consideration at their next meeting.

"I have the honor to remain, very respectfully, your o'bt serv't,

"GURDON BUCK, M.D.

"NEW YORK, *July* 3, 1853."

The subject being thus fairly laid before the custodians of the institutions of New York, the Society of the New York Hospital, a close corporation, gov

by the gentlemen named in the note appended,* immediately voted that their president, Hon. George T. Trimble, subscribe five hundred dollars to the proposed fund.

Commissioners of Emigration, of the State of New York.

The commissioners of emigration, composed of the gentlemen named in the annexed note,† passed the following resolution:

"*Resolved,* That in view of the great benefits derived by the institutions and patients under the charge of the commissioners of emigration, by the use of sulphuric ether, the sum of two hundred and fifty dollars be donated to Dr. Wm. T. G. Morton, the discoverer thereof, as a consideration of the feeling of the board, with an expression of regret that the present state of the funds under their charge would not permit the commissioners to show a more substantial appreciation of the great importance of the discovery."

Bellevue Hospital.

The governors of the almshouse referred the subject to the committee on Bellevue Hospital to report. While considering the subject, the committee received from Stephen Smith, M. D., secretary, the following resolution, unanimously adopted by the medical board of Bellevue Hospital:

"*Resolved,* That the medical board of Bellevue Hospital cheerfully express their conviction that to the zeal, perseverance, and skill of Dr. Wm. T. Green Morton, of Boston, in using sulphuric ether to render persons insensible to pain, the world is indebted for the present extended and beneficial use of anæsthetic agents in the practice of medicine and surgery; and they are convinced that but for his energy, courage, and success, there is no reason to believe that mankind would yet have received that boon from any of the gentlemen whose names have been prominently connected with this subject.

"JOHN W. FRANCIS, M. D.,
"*President Medical Board.*

"STEPHEN SMITH, M. D., *Secretary.*"

Referred to committee on Bellevue Hospital.

On the fourth of August the committee to whom the subject was referred reported in favor of appropriating the sum of $1,500.

On September 14 the following preamble and resolution, appropriating fifteen hundred dollars, was adopted:

"*Resolved,* That this board view with high appreciation the initiatory steps taken by the medical faculty of the cities of Boston and New York to acknowledge, in a substantial manner, the discovery and appliances of sulphuric ether by Dr. Wm. T. G. Morton; and believing the same to be, as expressed and set forth in their testimonials, the greatest benefit of the present age rendered to science and humanity, deem it our duty, in consideration thereof,

* George T. Trimble, Najah Taylor, Gulian C. Verplanck, James F. DePeyster, John A. Stevens, James I. Jones, Stacy B. Collins, George F. Hussey, Edwin D. Morgan, David Colden Murray, Robert Lenox Kennedy, John David Wolfe, George F. Jones, Joseph Walker, Thomas Hall Faile, Thomas B Stillman, James N. Cobb, George T. Olyphant, John C. Green, David Clarkson, Abram S. Hewitt, Frederick A. Conkling, Nathaniel P. Bailey, Otis D. Swan, Henry L. Pierson, James W. Beekman.

† Gulian C. Verplanck, *pres't;* E Crabtree, *vice-pres't;* B. Casserly, *sec'y;* F. D. Morgan, Wilson G. Hunt, Elijah F. Purdy, John P. Cumming, Cyrus Curtis, Mayor of New York, Mayor of Brooklyn, President of the German Society, President of the Irish Emigrant Society.

and of the many uses to which the same has been applied in the institutions under our charge, to unqualifiedly indorse the same.

"*And be it further resolved,* That the sum of fifteen hundred dollars be, and the same is hereby, appropriated as compensation for the use of sulphuric ether in the hospital under our charge, and the same be taken from the unexpended appropriation of Bellevue Hospital."

The president of the board of ten governors immediately made the subscription to the proposed fund.

CORRESPONDENCE.

During the last summer the governor of Massachusetts, N. P. Banks, late Speaker of the House of Representatives, wrote to his excellency the governor of New York that "a national subscription, intended as an acknowledgment of his (Dr. Morton's) great public service in the discovery, and introduction to common use, of this important power, (sulphuric ether,) has been commenced here under the auspices of gentlemen of the highest professional standing, who were themselves witnesses of the successive steps through which this discovery was made. They are men whose names alone are a guarantee that their statements may be relied upon, and no words of mine can aid in giving their opinion strength. In addition to that of merchants and professional men of the first eminence, you will find in the publication made by the trustees of the fund to be raised a petition to the President, signed by a majority of the members of the thirty-third Congress, which is, I think, to be regarded as an evidence of the very general estimate which was made of the claims of Dr. Morton upon the government and the public.

"The subscription has been liberally commenced in Boston, but it is thought that other cities that have been benefited by the discovery should participate in the recognition of the merits of the discoverer, and in making him appropriate honors. I hope that other cities may imitate the example of Boston in this respect, and contribute something to aid and, I may say, relieve one who is certainly deserving of great credit, and who has as yet received no advantage from his discovery."

Dr. James Jackson wrote to George Ripley, one of the editors of the American Cyclopedia: "To him (Dr. Morton) the world owes at least the introduction for useful purposes of sulphuric ether, by employment of which, by inhalation, he *proved* that insensibility might be produced in a human subject with safety, and be maintained during powerful surgical operations. It is now more than eleven years since he made this discovery known. At the present day the benefit of it is known throughout the civilized portion of the world. Every day the persons who use the article must be counted by thousands. If the knowledge of it could be lost millions and millions of dollars could be raised for the recovery of it. Every man is liable to the misfortunes which would make the use of it invaluable to him.

"Is not something due to the gentleman who introduced the use of ether for the use of the present and all future generations of men? Shall it be recorded in history that he lived on a very small income while millions were blessing his discovery? Should he not be paid in some substantial manner? As I understand the matter, his business has been destroyed, strange to say, and he needs aid. May I ask you to make his case known in New York, in the hope that he may receive the evidence of such gratitude as is due to him?"

Dr. Jacob Bigelow, president of the Academy of Arts and Sciences, wrote to Dr. Parker, that, "I hope the community who are daily deriving the benefit of his (Dr. Morton's) inestimable discovery will not be insensible to the debt they

owe him. He is the only man without whom the world would at this day have wanted the blessing of anæsthetic inhalation."

Dr. O. W. Holmes wrote to Willard Parker, M. D.: "It gives me great pleasure to add my name to that of my friends who have recommended the claims of Dr. W. T. G. Morton to your favorable notice.

"A surgeon in great business like yourself must know well what we owe to the discoverer of the use of ether in surgery. The part Dr. Morton took in that is matter of history, and I cannot but think you will agree with us in believing that but for his happy audacity we should have waited an indefinite period for the discovery.

"I write this time, therefore, to request your kind consideration of the subject that will be presented to your notice, not professing to have any personal claim upon your valuable time, but considering that your position entitles you to the honor of being among the foremost in every movement involving the interest of science and humanity."

Dr. John Jeffries wrote to Willard Parker, M. D.: "Of the justice to his (Dr. Morton's) claim, as the person by whom this great benefaction was conferred on the medical profession, and upon mankind, I entertain no doubt; and consequently, of the weight of obligations which physicians and societies at large are under to him for this benefit. A public benefaction has been set on foot for Dr. Morton, who is himself poor, and made so, in some measure, in consequence of his agency in providing a blessing for mankind. It has my full approbation and best wishes for its success. I would also express my confidence in the plan and details by which it was carried out, arising from the high character for intelligence and integrity of gentlemen under whose auspices it is to be conducted. Whatever you may please to do to aid will be on the side of justice and humanity."

Dr. S. D. Townsend, one of the surgeons of Massachusetts General Hospital, wrote to Willard Parker, M. D.: "Having been conversant with the use of ether from the first day of its introduction, I have always given to Dr. Morton the credit of being the author of its extensive employment into our profession. The object of this movement is to obtain subscriptions to a fund, to be placed in the hands of trustees for his (Dr. Morton's) benefit, which is to be raised from different hospitals in the country that have been so greatly benefited by its use. Dr. Morton's pecuniary circumstances have been greatly reduced by the exclusive attentions he has paid to this object, having entirely broken up the business which he was extensively engaged in, and he needs the aid of all professional men who have been so greatly benefited by this discovery. I am sure I can rely upon you to give it all the assistance which your prominent situation can afford him."

Nathaniel I. Bowditch, esq., in a letter to Amos A. Lawrence and John Lowell, trustees of the Morton fund, says: "Circumstances, as you are aware, made me originally take great interest in the ether discovery. In the hospital report, and a pamphlet in vindication of it, I have expressed as forcibly as in my power my conviction that it is to the boldness, energy, and perseverance of Dr. Morton that the world owes the demonstration of this great truth of science. I have never seen the slightest reason for doubting the accuracy of the conclusion at which I first arrived. It happens that in my own person I have already had occasion to be especially thankful for this blessing. Ether has been administered to me no less than seven times, and on each occasion has saved me from great suffering. I consider Dr. Morton, indeed, to be one of my permanent attendant physicians, and one the value of whose prescription cannot be estimated in money or expressed in words. I have therefore cheerfully subscribed $500 on the book which you sent me."

Thomas B. Curtis, esq., of Boston, in a letter to William E. Bowen, esq., of Philadelphia: "Dr. Morton first made known to the world the blessed effects of ether in doing away with pain. Instead of riches and honor, he has reaped

nothing from his great discovery. Our government has cheated him, but they have not deprived him of the support of the most eminent surgeons in America, and the sympathy of many of our best citizens."

Dr. William H. Van Buren, of the New York Hospital, in a letter to Professor Neill, of Philadelphia: "Here there was no dissenting voice in the right quarter, that is, among the profession, and I think on the broad ground of humanity Dr. Morton has a right to our support. His misfortunes entitle him to our regard above all other considerations."

Dr. Fordyce Barker, of the Bellevue Hospital, New York, in a letter to Dr. Edward Hartshorne, of Philadelphia: "The profession in this city and in Boston have with great unanimity made an effort to induce the people to bestow upon Dr. Morton some reward proportioned to the value of his discovery, and it is hoped that our brethren in Philadelphia will join heartily in the endeavor."

Dr. George T. Eliot, of the Bellevue Hospital, New York, in a letter to Dr. Biddle, of Philadelphia: "I sincerely think that Dr. Morton ought to be placed above the necessity for labor during his life, and that it is a reproach to the United States that the government did not behave differently. The feeling of the profession here is in favor of the testimonial in his behalf."

Dr. Batcheldor, president of the Academy of Medicine, New York, in a letter to Profesor Meigs, of Philadelphia: "Dr. William T. G. Morton, the discoverer of anæsthesia, now so universally employed in the alleviation of human suffering, in perfecting his discovery and in introducing it to the world, has made great sacrifices, and it is no more than just that he should reap some reward, small though it may be in comparison to the vast benefits which he has conferred upon suffering humanity. The appeal to the justice and liberality of our fellow-citizens has been gladly seconded by the profession in this city, and I have no doubt that such will be the case in your city."

Dr. John H. Griscom, of the New York Hospital, in a letter to Prof. George B. Wood, of Philadelphia: "The medical profession of Boston and in New York have taken great interest in the effort now in progress to obtain from the people a testimonial of a substantial character in favor of Dr. Morton, whose sacrifices, means, time, and health in his devotion to the perfecting of this most extraordinary discovery, render some pecuniary return essential. We regard this as a truly national matter, to which the profession of the whole country should lend their aid."

Dr. Isaac Wood, of the Bellevue Hospital, New York, in a letter to Prof. George B. Wood, of Philadelphia: "At a meeting of our medical board, held last evening at my house, a resolution was unanimously passed, to recommend the testimonial to Dr. Morton to the favorable notice of the board of ten governors of the Bellevue Hospital."

Prof. Valentine Mott, of New York, in a letter to Prof. Pancoast, of Philadelphia: "The profession here generally award to Dr. Morton the honor of this great discovery. We have been doing, for the testimonial to him, a little in this city."

Dr. John W. Francis, of New York, in a letter to Prof. Samuel Jackson, of Philadelphia: "Something, our entire faculty have determined, must be done for Dr. Morton as a great benefactor to humanity. In New York we are not idle. Our Bellevue Hospital, I believe, will make a liberal donation."

Dr. F. M. Markoe, of the New York Hospital, in a letter to Dr. Franklin Bache, of Philadelphia: "We have been much interested in the matter of the testimonial to Dr. Morton, and feel the conviction that not only he is entitled to the credit of the discovery of this great practical use of ether, but that the country owe him a debt of gratitude which ought to take some tangible and available form."

Prof. Alfred C. Post, of New York, in a letter to Prof. S. D. Gross, of Philadelphia: "I hope the profession, of your city, will take an interest in

obtaining from the community some substantial acknowledgment of the great services which Dr. Morton has rendered to science and humanity.

"I think, from the investigations which I have made, that there is no reason to doubt that he is entitled to the exclusive merit of introducing the valuable discovery which he claims to have made, and that the efforts which have been made by others to deprive him of his claim have been characterized by gross injustice."

Dr. B. W. McCready, of the Bellevue Hospital, New York, in a letter to Dr. W. H. Gobrecht, of Philadelphia: "It has been deemed just, by the leading medical men of Boston and New York, that Dr. Morton should realize something more from his discovery than barren honors, to which he has to support his claims at his own expense."

Prof. Willard Parker, of New York, in a letter to Mr. Allsop: "Dr. Morton has laid the civilized world under an infinite obligation, and exhausted his means by so doing. I am desirious that some return should be made, and he be relieved from his condition of want. In this city a movement is being made in furtherance of this object."

Dr. John Watson, of the New York Hospital, in a letter to John A. Stevens, esq.: "As our national government is not likely to remunerate Dr. Morton for the trouble and expense, not to speak of loss of business, to which he has been subjected, American people should take his sacrifices into serious consideration, and show by their own liberality that what the government cannot do, the people are not willing to leave undone."

Subscriptions that head the Boston and New York contributions.

Board of ten governors for the city of New York, $1,500; Massachusetts General Hospital, $1,000; Amos A. Lawrence, $1,000; John P. Cushing, $500; the Society of the New York Hospital, $500; the Commissioners of Emigration of the State of New York, $250; James Brown, $500; John David Wolf, $250; Peter Lorillard, $250; James Lenox, $250; Benjamin L. Swan, $100; George T. Trimble, $100; Robert B. Minturn, $100; John C. Green, $100; Joseph Sampson, $100; James Donaldson, $100; Henry Chauncey, $100; Charles A. Davis, $100; James Boorman, $100; George Griswold, $100; Morris Ketchum, $150; Robert Ray, $100; E. D. Morgan & Co., $100; Josiah Macy & Sons, $100; Jonathan Thorn, $100; John Gardner, $200; Massachusetts Charitable Eye and Ear Infirmary, $200; Thomas B. Curtis, $100; Nathaniel I. Bowditch, $600; Charles H. Mills, $100; John J. May, $100; David Sears, $100; Edward Wigglesworth, $100; James Bowden Bradlee, $100; Josiah Bradlee, $100; James Lawrence, $100; John A. Lowell, $100; Thomas Lee, $100; J. M. Forbes, $100; Benjamin H. Field, $100; Charles C. Goodhue, $100; S. L. Snarez, $100; William E. Wilmarding, $100; Lorillard Spencer, $100; Catharine L. Spencer, $100; Augustus Belmont, $100; Armstrong & Son, $100; John Bridge, $100; B. M. Whitlock, $100; William B. Astor, $100; Charles H. Marshall, $100; H. B. Claflin, $100; J. B. & W. W. Connel, $100; Gardner Brewer, $100; Frederick Tudor, $100; Pierce & Bacon, $150.

But fourteen years passed away and the United States had done nothing to reward the discoverer. The patent granted to him expired—it had produced only annoyance and expense; but disheartened by the repeated failures of his applications for relief, he applied for its extension, which was refused on technical grounds. The United States has used and continues to use the discovery in surgical operations, sometines to the number of a thousand in a day. It has the entire approval of the medical departments of army and navy, greatly

mitigating the pain and suffering of the wounded, and in most cases entirely removing it during the performance of surgical operations. But as far as the United States is concerned, the discoverer has passed unrewarded, and the patent issued to him to secure him the benefit of his invention, which would have been respected and which would have made his fortune had it been a new and valuable improvement in making *washboards* or *buttons*, has been used by the United States without respect to his rights, and as by the government so under credit of its example by the people. In the recent terrible disaster of our army at Fredericksburg Dr. Morton himself administered his ever potent *nepenthe* without a single failure to hundreds of wounded men brought under the probe and knife. A view of its benefits and effects by the head of the medical department of the army of the United States will be presently introduced, showing that it has lost none of its value and suffered nothing in public estimation by time and trials which wear out and consume the discoverer, do but add fresh triumphs to the discovery.

The medical director of the ninth army corps, second division, Dr. Alexander T. Watson, says:

"Dr. Morton reported himself to my field hospital after the horrible battle at Fredericksburg, and I gave the fullest scope in my hospital to ether *versus* chloroform, and from the sadly ample opportunity for testing both, I am an etherist.

"The surgeon-in-chief, Dr. Calvin Cutter, of Sturgis field hospital, and his operative staff, Drs. Leonard, Hassock, and Webster, in a communication to Dr. Morton immediately after the battle at Fredericksburg, state that they could not have performed so many needful operations and so well without anæsthetics. Their use not only entirely prevented or greatly mitigated the sufferings of the patients, but it very materially lessened the embarrassment of the operating surgeon.

"We deemed the success good—no patient died during the operation or immediately subsequent from shock of operation.

"Permit us to return thanks for the administration of anæsthetics to the patients by yourself. It was essential aid to our surgeons."

One plain proposition should at least be borne in mind, and honestly responded to. Dr. Morton was the patentee. The United States has used it with advantage which cannot be estimated, even counting by millions. What answer can be given when the patentee claims a moderate and reasonable compensation, enough to pay him fairly for his time, toil, and expense in discovering, perfecting, and giving it to his country? It will not do to say that others claim the discovery. There is no other patentee; and it is clear, beyond controversy, that whatever others may have *thought* and *reasoned* and *hoped* and *suggested*, no one but he gave it to the public and the world. Dr. Morton alone brought it to the attention of the medical faculty; he lived and moved and had his being in the discovery. When it was attacked, he alone defended it, and he exhausted his health, and strength, and fortune to make it triumphant, and in the language of the report of the trustees of the Massachusetts General Hospital, "it is a mortifying fact that Dr. Morton's pecuniary affairs have become embarrassed in consequence of the interruption of his regular business, resulting from his efforts and experiments in establishing this great truth, and that his health has also severely suffered from the same cause, so that he can devote only a small part of each day to his professional labors. He became poor in a cause which has made the world his debtor. The committee have the highest medical authority (that of Dr. Homans) for saying that, from living so much of late in an atmosphere of ether, and from the anxiety attending the various trials and experiments connected with the discovery, and from the excitement caused by the controversies which it has occasioned, the health of Dr. Morton has become such that he is unable to attend to his professional duties to any extent."

Whatever others may claim, without him, or some other possible person not

now in conflict with him, the discovery would have been yet with the future—in the womb of time. To him, and to him alone, in the opinion of your committee, is therefore due the reward, and it should at last be rendered to him with no grudging or stinted hand; and waiving the obvious ground of compensation just considered, your committee entertain no doubt that Dr. Morton was, in the just and practical sense of the term, the sole and original first discoverer of the application of sulphuric ether as an anæsthetic agent. They found their opinion on the evidence, and it is supported and strengthened by the expressed and well-reasoned opinion of the several committees of Congress to whom the subject was successively referred, and especially by the opinion of the medical faculty of Boston, a most intelligent jury of the vicinage, and the faculties of New York and Philadelphia, who brought to the question a high and disinterested intelligence. On the whole, no doubt as to this is left on the mind of your committee, but the evidence as to conflicting claims will be considered more fully in the sequel.

The question of who was the discoverer being thus, as the committee trust, placed beyond dispute, they turn their attention next to the *value* of the discovery.

It supplies a desideratum long sought by surgeons for the relief of the excruciating pain they were necessarily obliged to inflict in the practice of their profession. They had, as heretofore stated, vainly attempted this relief by the use of opiates, extract of hemp, mesmerism, &c., but none fulfilled the desired purpose; and their suggestion of the necessity to life or limb of an operation was apparently ever doomed to be accompanied with the (to many) all-absorbing feeling of terror of the pain which there was no means of avoiding. Dread of pain has not unfrequently deterred from submission to operations necessary to the preservation of life. In other cases, where this dread was overcome and the operation performed, the severity of the suffering and the shock to the system have been large elements in the production of a fatal result. Since the introduction of etherization, both the patient and surgeon approach the operation with feelings entirely different from those formerly entertained under similar circumstances. The latter is relieved from the necessity of witnessing those manifestations of pain which his instruments formerly produced, and to ever become indifferent to which he must be more or less than human, while the former looks only to the end to be attained—the restoration to health—there being no intermediate pain to excite his dread and fix his exclusive attention. For screaming, and struggles, and intense suffering under the surgeon's knife, etherization has substituted more or less complete exemption from pain, associated in some with the quietude, mental and corporeal, of deep sleep; in others, with pleasing dreams, imaginary busy scenes, and sweet music; and in others, with a perfect consciousness of surrounding objects and events, making the patient, perhaps, not among the least calm or most anxious spectators of the operation.

And its benefits are by no means confined to surgical patients and surgical practice. The obstetrician finds in it the means of alleviating that distress with which woman has ever heretofore been cursed, when in the act of becoming a mother. And who would not hail with delight any means of ministering comfort to her who bears the holy name of mother? To the physician it affords one of the most useful, as it is one of his most prompt, remedies. He, too, is often compelled to be the spectator of severe pain and distress, for the alleviation of which his before known remedies were powerless. He, before, had no reliable means of relieving the spasms of tetanus; he not unfrequently failed to procure sleep in *delirium tremens*, when the question is one of sleep or death; his before palliative remedy (opium) for the pain of colic, too often purchased temporary relief at the expense of an aggravation of the cause of the disease, and of increased difficulties in its cure; and he occasionally witnessed the breaking up of the system of a neuralgic patient, more as a consequence of the

repeated large doses of opium to which he was constrained to resort for the mitigation of his paroxysms, during the slow progress of curative remedies, than of the disease itself. But an enumeration of all, or of any considerable number of the cases in which he finds it useful, nay, indispensable, is neither required, nor would it be proper in a paper of this character.

Being of indispensable value to all, as all are liable to require its use, the committee deem the discoverer entitled to reward, as a benefactor of the human race. Great Britain, France, and all other enlightened nations, have, from time immemorial, rewarded munificently such services to humanity. The British Parliament, by two successive statutes, bestowed upon Jenner the sums of ten thousand and twenty thousand pounds for the discovery of vaccination. The world has as yet produced but one great improvement in the healing art deserving to be ranked with that of Jenner. America, by annihilating pain, has done as much for the benefit of the race as England did when she furnished the instrument by which the small-pox may be finally exterminated.

Alike honorable to themselves and to our own countryman, Professor Morse, several of the principal governments of Europe joined in presenting him an honorary testimonial of eighty thousand dollars for the telegraph discovery. What, we ask, would England have done had she the glory of counting etherization among her achievements?

Congress has frequently rewarded individuals for discoveries of limited importance, which in nowise entitled them to a place among the benefactors of mankind. Dr. Borland, in a speech upon this subject during 33d Congress, said:

"In the next place, lest it might occur to the minds of some that purchasing the right from a patentee to use a valuable discovery is a new thing in our government, I beg leave to call attention to the records, which show that it is no new practice, but for years and years has been repeated over and over again. I will cite a few cases. We paid for the right to make anchors of a certain form for the navy, $1,500; for the use of circular bullet moulds, $5,000; for the use of gas in vapor baths, $5,000; for elevating and pointing heavy cannon, $20,000; for the right to use patent anti-attrition metal, $20,000. We paid to the heirs of Robert Fulton, for benefits conferred by his improvements in steam navigation, $76,300. We paid for Mix's manger stopper, used in the cavalry service, $3,000. We paid to Dr. Locke, for the use of his magnetic clock, $10,000. We paid to McCulloch & Booth, for the right to use the improved method of refining our argentiferous gold bullion, $25,000; thus making an aggregate of $165,000 paid in these cases. But, in addition to these, there have been numerous instances in which patent rights, or the privilege of using in the service of the government patented articles, have been purchased by the departments, some of which instances I find cited in connexion with the report of the select committee of the House of Representatives, for which were paid $178,032—making an aggregate of $343,000 paid by the United States for patents and the use of patented articles.

"Since I have been a member of the Senate, when meritorious individuals have come before us, who had made important discoveries, we have aided them to test their discoveries by appropriations, amounting in the whole to $120,000.

"I mention these facts to show that precedents are all in favor of such use of the public money to enable the government to avail itself of important discoveries."

Though fully satisfied of the value of the discovery, the committee thought it not proper to act upon their own unaided opinion. The chairman addressed letters to the medical bureaus of the army and navy, and particular attention is invited to their answers and to the replies of the former heads of those departments, also to extracts from letters from the surgeons in the government service, and the medical profession generally, which were published in a former report.

SURGEON GENERAL'S OFFICE,
Washington City, D. C., February 3, 1863.

SIR: In reply to your letter of the 29th ultimo, this day received, inquiring whether anæsthetics are generally used in the surgical operations performed by the surgeons in the service of this government, I have the honor to inform you that anæsthetics, viz: ether and chloroform, are habitually and constantly employed in the surgical operations performed by the surgeons of the United States army, regular and volunteer.

Very respectfully, your obedient servant,

JOSEPH R. SMITH,
Acting Surgeon General.

Hon. HENRY WILSON,
United States Senate.

NAVY DEPARTMENT,
Bureau of Medicine and Surgery, February 2, 1863.

SIR: I have the honor to acknowledge the receipt of your communication of the 29th ultimo, inquiring whether or not anæsthetics are generally used in the surgical operations performed by the surgeons in the service of this government.

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I beg leave to state, in reply, that anæsthetics have come into such general use that a surgical operation performed without such agents may be regarded as the exception to an almost universal rule in this as in other countries.

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In the Crimea alone, according to the calculations of Mr. Scrive, it was administered to more than twenty thousand wounded.

Very respectfully, your obedient servant,

W. WHELAN.

Hon. HENRY WILSON,
Chairman Committee on Military Affairs, U. S. Senate.

SURGEON GENERAL'S OFFICE, *March* 1, 1852.

SIR: In compliance with your verbal request to be furnished with information in regard to the employment of anæsthetic agents in the army of the United States, and also for an expression of opinion as to the value and importance of this class of remedial agents, I have to state:

That sulphuric ether and chloroform were used to some extent in the military hospitals established at the theatre of war in Mexico, but the use of those articles was not so general as at present, for the reason that the apparatus at that time believed to be essential to their proper and safe administration was not adapted to service in the field.

At the present moment it is believed that no surgical operation of importance is performed by the medical officers of the army without the aid of some anæsthetic agent.

Previous to the discovery of this new application of sulphuric ether, the annual supply of that medicine was one pound for every hundred men. On the revision of the standard supply table, by a board of medical officers in 1849, the pure washed sulphuric ether was substituted for the ordinary sulphuric ether, and the quantity allowed was increased one hundred per cent. At the same time another anæsthetic agent, the tincture of chloroform, commonly called chloric ether, was added to the supply table, and is now regularly furnished to the medical officers in such quantities as, in connexion with the sulphuric ether, will suffice to meet all the demands of the service in this particular.

Although the discovery of this new therapeutic effect of sulphuric ether has led to the introduction and employment of other anæsthetic agents, this does not

in any way militate against the merits of the original discovery, which I regard as one of the most important and valuable contributions to medical science, and to the relief of suffering humanity, which has ever been made, the only discovery to be compared therewith being that of vaccination, which has rendered the name of Jenner immortal.

Through the influence of these remedial agents, the surgeon is not only enabled to perform the most extensive and difficult operations, undisturbed by the cries and struggles of the patient, but what is of far greater importance, the patient, being rendered insensible, escapes that shock to the nervous system which in itself is not unfrequently fatal. For this reason operations can now be performed with much more safety than heretofore, and that, too, in cases in which the attempt to perform them would have been forbidden by the general condition of the patient.

To the physician this class of remedial agents promises to be of the greatest utility, though their application in the treatment of disease has yet to be more fully developed.

It will suffice at this time to allude to their employment for the relief of suffering women in the hour of her greatest trial, and at the moment she claims our warmest sympathies. That these agents can be safely used in parturition, so as to afford full and entire exemption from pain to the mother, and with safety both to her and to the child, has been amply demonstrated.

In conclusion, permit me to congratulate you upon the flattering testimonial you have received from the National Institute of France for this discovery, and to express the hope that, inasmuch as it is impossible for you to derive any pecuniary benefit therefrom in ordinary course by letters patent, you may receive from your country that acknowledgment of your merit which is due to one who has conferred so great a boon upon mankind.

I am, very respectfully, your obedient servant,

TH. LAWSON, *Surgeon General.*

W. T. G. MORTON, M. D.,
Browns' Hotel, Washington, D. C.

TREASURY DEPARTMENT, *June* 25, 1852.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, covering copies of a communication from the Hon. W. H. Bissell, of a letter from the chief of the Bureau of Medicine and Surgery of the navy, and of a letter from the surgeon general of the army, with certain printed matter, all relating to the memorial of Dr. Wm. T. G. Morton, asking remuneration from Congress for the discovery of the anæsthetic properties of sulphuric ether.

An attentive examination of these several documents has satisfied me that sulphuric ether and tincture of chloroform are very generally used in the army and navy of the United States as anæsthetic agents; and the decided testimony borne to the merits of these etherial preparations by the chief of the Bureau of Medicine and Surgery of the navy, and the surgeon general of the army, leaves no doubt upon my mind as to their great value in medical and surgical practice. In addition to the evidence thus afforded in their favor, I may mention the fact that these agents now form a part of the regular medical supply to the marine hospitals of the United States, and that they are employed therein with very general success.

Regarding the discovery of the anæsthetic properties of sulphuric ether, as, in the language of Surgeon General Lawson, "one of the most important and valuable contributions to medical science, and to the relief of suffering humanity, ever made," I concur entirely with Col. Bissell and yourself, as to the propriety and justice of liberally compensating the patentee, who has not at any time received pecuniary advantage from his discovery, and who now appeals to the legislatur-

of his country, on condition of the surrender of his patent for the benefit of mankind, for proper remuneration in lieu of the gains that he would have derived had he been protected in the use of the rights conferred upon him by letters patent of the government. I therefore recommend that such reasonable and liberal sum, as the committee of which you are chairman, may, in their discretion, determine upon, be reported as a *national compensation* to Dr. Morton, and that the same be attached, as proposed by Col. Bissell, to the "naval appropriation bill" for the ensuing fiscal year.

I have the honor to be, very respectfully, your obedient servant,

THO. CORWIN,
Secretary of the Treasury.

Hon. FREDERICK P. STANTON,
Chairman Naval Committee, House Reps.

WAR DEPARTMENT,
Washington, June 21, 1852.

SIR: I have received your letter of the 7th instant, enclosing sundry documents relating to the memorial of Dr. William T. G. Morton, who seeks remuneration from the government for the discovery of the anæsthetic properties of sulphuric ether.

In reply I beg leave to state that I have no information on the subject of this discovery other than that which I have derived from public rumor and from the documents you enclose, it being exclusively a professional question. All the information which this department could furnish the committee is contained in the letter from the surgeon general, which is among the papers you enclose.

Judging from this information, there can be but little doubt that this discovery is one of the most valuable contributions that science has ever made to the cause of humanity.

I do not know what the practice of the government has been in regard to rewarding individuals for inventions or discoveries made by them, or, at least, compensating them for the use of them in the public service, but I do not hesitate to say that if it has been the practice of Congress to grant such rewards or compensation, Dr. Morton's claim is fairly entitled to the most liberal consideration.

Very respectfully, your obedient servant,

C. M. CONRAD.
Secretary of War.

Hon. FREDERICK P. STANTON,
Chairman Committee on Naval Affairs, House of Reps.

NAVY DEPARTMENT, BUREAU OF MEDICINE AND SURGERY,
June 29, 1852.

SIR: I have had the honor to receive your letter of yesterday's date, in relation to the memorial of Dr. W. T. G. Morton, asking of Congress remuneration for the discovery of the anæsthetic properties of sulphuric ether, and calling upon me for a statement as to the basis on which the claim is founded, with an estimate of the amount to which, in my opinion, he is entitled, on the score of the benefits and advantages resulting from its use in the naval service.

As the views of the bureau in regard to the importance of this discovery have been already expressed in a communication to Dr. Morton, I beg leave to extract so much of it as relates to this branch of the subject.

"In reply to your inquiry as to the importance attached to the late discovery of etherization, by the medical corps of the navy, it gives me pleasure to express the high sense they entertain of its utility, not only in surgical practice, but as a powerful agent in many painful affections which have resisted the ordinary remedies. This opinion is strengthened by the concurrent testimony of the

ıblest civil practitioners of our own country, with the emphatic indorsement of ts value by the best British and continental surgeons.

"The gist of this discovery consists in finding that nervous perception is uspended under the influence of the etherial inhalation; and, while suspended, hat the patient is unconscious of pain under the operation of the knife. In ıddition to the great benefit derived from its use, in alleviating pain, it has a lecided effect in diminishing mortality. Its advantage in this respect appears o be in saving the system from the severe shock and nervous exhaustion which ıttend most of the graver surgical operations, and which of themselves often ›rove fatal.

"It dispels the fear of pain which formerly prevented many from submitting o an operation, or induced them to defer until too late.

"It enables the surgeon, also, to operate coolly, and effectually, undisturbed ›y the cries and struggles of the patient, which sometimes unnerves the steadiest ıand, and render abortive the best directed efforts."

In regard to the grounds on which Dr. Morton bases his claim to pecuniary emuneration from the government, I would state that from the peculiar nature ›f the discovery, it is impossible to protect the inventor in the exclusive advan-age of it by letters patent. The novelty of the discovery consists in the new ıpplication of an old remedial agent, and the privilege of using it, on the part of he profession at large, cannot be practically curtailed by statutory enactment. The inventor is thus deprived of the pecuniary advantages of his discovery, and s justified in appealing to the government, which also largely avails itself of he benefits derived from it, for relief.

It will be difficult to estimate the amount which the inventor may reasonably ısk of the government in consideration of the advantages attending its use in he two services. For the reasons above mentioned, the cost of the ether itself cannot enter as an element into the calculation, and the fairest estimate, I con-ceive, might be more nearly approximated by the amount one would be willing o give to be rescued from impending death, or to be relieved from urgent and intolerable pain.

I would express the opinion, however, that the sum of *one hundred thousand dollars*, proposed by the select committee of the House of Representatives as a compensation to the inventor, is nothing more than a fair equivalent for the im-mense advantage resulting to the government and country from this important liscovery.

I am, very respectfully, your obedient servant,

THOS. HARRIS,

Chief Bureau of Medicine and Surgery.

Hon. WM. A. GRAHAM,

Secretary of the Navy.

Extract of a letter from John Watson, M. D.

NEW YORK HOSPITAL, *January* 10, 1852.

The wonderful action of ether and the other anæsthetics in alleviating suffer-ing, and in overcoming spasm and muscular resistance during the most protracted, difficult, and delicate surgical membulations, is sufficient to place them among the most useful discoveries that ever have been effected, *and to entitle Dr. Mor-ton, who first demonstrated the anæsthetic properties and use of sulphuric ether, to the gratitude of his countrymen, and to give him rank among the benefactors of the human race.*

I remain, with becoming respect,

JNO. WATSON

GEORGE NEWBOLD, Esq.

WEST POINT, NEW YORK, *February* 14, 1852.

Both ether and chloroform are used as an æsthetic agents in the army.

I am, sir, very respectfully, your obedient servant,

JNO. W. CUYLER,
Surgeon U. S. Army.

Hon. W. H. BISSELL, *Chairman, &c.*

ST. LOUIS, MO., *February* 12, 1852.

Ether was first used by the army early in 1847, during the Mexican war, more particularly on General Scott's line; as at that period a complicated and fragile inhalator was employed for its use. Of the number of instruments sent to the army, two intended for the Rio Grande line were broken in the transportation, hence the ether was little used, if at all, on that line. The chloroform was early introduced in the army, not soon enough to have had experience of it or chloric ether during the war. It is now one of the principal articles of our medical supplies, and is in general use.

The chloroform is as highly esteemed by the medical officers of the army and navy as by the surgeons in general practice; it is certainly an inestimable boon to suffering humanity. To my knowledge no important surgical operation, including reduction of dislocations, fractures, &c., is performed in the army without its being employed.

I have the honor to be, very respectfully, your obedient servant,

E. H. ABADIE,
Assistant Surgeon U. S. Army.

Hon. W. H. BISSELL, *Chairman, &c.*

FORT ADAMS, R. I., *February* 10, 1852.

I have no doubt their effect is greatly to lessen mortality in surgical operations.

Most respectfully your obodient servant,

R. S. SATTERLEE,
Surgeon U. S. Army.

Hon. W. H. BISSELL, *Chairman, &c.*

WEST POINT, N. Y., *February* 12, 1852.

Says it was introduced into the Mexican war. "I shall consider it the greatest boon of the soldier."

"J. SIMONS,
"*Ass't. Surg. U. S. Army.*"

ATHENS, GEORGIA, *February* 9, 1852.

I reply, that in the navy of the United States, to my knowledge, both ether and chloroform are used as anæsthetic agents.

That the discovery is of American origin, and due to Dr. Morton, seems so well established and believed that it is needless for me to add anything on this head. The memory of such a man should be written "*in ærea perenes;*" and it would reflect honor upon his country to reward his labors while living. Such a man can proudly exclaim with the immortal Tycho Broke, "I have not lived in vain."

A. A. FRANKLIN HILL,
Ass't. Surg. U. S. Army.

NEW YORK, *January* 3, 1852.

I would state that sulphuric ether and tincture of chloroform are among the medical supplies furnished for the use of the army.

T. G. MOWER,
Surgeon U. S. Army.

NEW YORK, *January* 31, 1852.

Chloroform and sulphuric ether are, I believe, furnished generally to the army. * * * The effect of these agents is wonderful and most valuable in lessening pain and suffering.

ROBERT MURRAY,
Assistant Surgeon U. S. Army.

PHILADELPHIA, *January* 27, 1852.

And so far as my observation extends, (having witnessed a large number of most painful operations under the influence of ether,) I can but consider the discovery of the properties of these agents as the greatest boon that poor suffering humanity has ever received.

W. WHEATON.
Surgeon U. S. Army.

FORT WASHINGTON, *Indiana, January* 27, 1852.

Medical officers are supplied with chloroform for the use of the army. * * I have used it myself.

LEWIS A. EDWARDS,
Surgeon U. S. Army.

GERMANTOWN, *January* 26, 1852.

Some of these agents are always added to the requisitions of medical surgeons.

O. J. WEBSTER,
Assistant Surgeon U. S. Army.

FORT MOULTRIE,
Charleston Harbor, S. C., February 19, 1852.

Sulphuric ether was used in the general hospital at Vera Cruz, Mexico, in the summer of 1847. I had charge of that hospital.

J. B. PORTER, M. D.,
Surgeon U. S. Army.

PLATTSBURG BARRACKS, *New York.*

I have used ether, as before stated, for many years.

J. MAKLIN,
Assistant Surgeon U. S. Army.

JEFFERSON BARRACKS, *Missouri.*

C. A. Finley, surgeon United States army, uses it, and says: "As an alleviator of human suffering, I consider it the most important discovery that has been made since the days of Jenner."

FORT MEADE, *Florida.*

Jona. Letturman, assistant surgeon United States army, says he uses them in "diseases involving the nervous system, in allaying the vomiting of an irri-

table stomach, in cramp colic, and in *delirium tremens*. Its administration in all was followed by complete relief. In a case of *delirium tremens*, in which all the ordinary remedies were used without effect, I attribute the saving the patient's life to the administration of chloroform."

FORT SCOTT, *Missouri.*

Joseph K. Barnes, assistant surgeon United States army, says: "Both ether and chloroform have been, and continue to be, used as anæsthetic agents by myself and others in army practice. The use of chloroform, under my immediate notice, has been confined to its anæsthetic effects during surgical operations of some magnitude, in which freedom from pain on the part of the patient was considered conducive to safety and celerity in operating. No medical officer is likely to be without them."

FORT DODGE, *Iowa.*

Charles C. Keeney, assistant surgeon United States army, says: "Ether and chloroform are both used as anæsthetic agents in the army. They are used to a great extent in neuralgic diseases, and in amputations of the extremities, and extirpation of various tumors, all with remarkable good effect in annulling sensation and voluntary motion. Where I have been stationed they have been used to a great extent."

FORT RIPLEY, *Minnesota Territory.*

J. Frazier Head, assistant surgeon United States army, uses them, and says: "As in many important operations in surgery the nervous shock resulting from the pain experienced is an element of great importance in determining the issue of the case, an agent which removes this element with comparative safety, and no bad influence to counterbalance this advantage, cannot fail to diminish the mortality attendant upon such operations."

UNITED STATES NAVAL HOSPITAL,
Portsmouth, Virginia.

N. C. Barrabino, surgeon United States navy, says ether and chloroform is used both in the army and navy, and is decidedly of the opinion that their use lessens mortality.

FORT MCINTOSH, *Loredo, Texas.*

G. Pierce, assistant surgeon United States army, uses them, and says: "I am inclined to form a very high opinion of chloroform as a remedial agent."

FORT WEBSTER, *New Mexico, May* 27, 1852.

SIR: It gives me pleasure, in compliance with your request, to enclose to you the accompanying table. My experience in the larger amputations is, you will perceive, small, but favorable in the highest degree to the good effects of etherization. Wishing you success,

I am, very respectfully, your obedient servant,

WILLIAM A. HAMMOND,
Assistant Surgeon U. S. Army.

Dr. W. T. G. MORTON, *Washington, D. C.*

FORT DUNCAN, *Texas.*

All my experience regarding anæsthetic agents has been in parturition, and I can assure you that the effect has always exceeded my most sanguine hopes.

GEORGE E. COOPER,
Assistant Surgeon U. S. Army.

BALTIMORE, *February* 2, 1852.

That the discovery of an agent which assuages or annihilates the severe pain *often* experienced in diseases, *necessarily* inflicted to a greater or less degree, in operations on the human body, and, *generally*, incident to the condition of the female in the act of parturition should, at the very first blush, commend itself to the acceptance of all mankind, and that the discoverer of such an agent should be regarded as having conferred the highest earthly boon on afflicted humanity, are propositions too obvious to need the slightest argument to enforce them.

Whether ether or chloroform is used in the army for anæsthetic purposes I have no means of knowing, but it is certainly so used in the practice of the navy.

I am, sir, respectfully, your obedient servant,

J. BEALE, *M. D.*,
Surgeon United States Navy.

Hon. W. H. BISSELL, *Chairman, &c.*

NAVAL RENDEZVOUS,
New York, February 7, 1852.

By most of the medical profession these agents are highly appreciated, and it is believed that Mr. Morton, who made public his discovery of the anæsthetic power of ether, is deserving a public reward.

I have the honor to be, very respectfully, your obedient servant,

D. S. EDWARDS,
Surgeon United States Navy.

Hon. W. H. BISSELL, *Chairman, &c.*

ERIE, *Pennsylvania, January* 30, 1852.

I should hold myself bound to use sometimes the one, sometimes the other, in various conditions of disease and injury.

WM. MAXWELL WOOD,
Surgeon United States Navy.

NORFOLK, *February* 4, 1852.

Chloroform or sulphuric ether are used in the naval service as an anæsthetic agent.

They are principally used in the naval service to lessen pain and enable a timid or excitable patient to undergo an operation.

JAMES CORNICK,
Surgeon United States Navy.

PHILADELPHIA.

That they are used in the army and navy. I think they diminish mortality.

DANIEL EGBERT,
Surgeon United States Navy.

PHILADELPHIA.

I have used chloroform as an anæsthetic agent in my practice in the navy.

J. HOPKINSON, *United States Navy.*

UNITED STATES SHIP PENNSYLVANIA,
Norfolk, Virginia.

D. B. Phillips, assistant surgeon United States navy, uses them, and speaks of them in the highest terms.

ANNAPOLIS, *Maryland.*

My experience has been, as yet, limited to some sixteen surgical cases. In preventing the sufferings of surgical operations, I consider chloric ether entitled to rank as the crowning medical discovery of the day. The cases in which I used it were for the removal of cancerous breasts and large tumors situated in delicate parts. I should strenuously recommend its introduction on board of our vessels-of-war.

NINIAN PINKNEY,
Surgeon United States Navy.

UNITED STATES NAVAL HOSPITAL, *Chelsea.*

They are both used as anæsthetic agents in the navy.

S. RUDENSTEIN,
United States Navy.

UNITED STATES SHIP PENNSYLVANIA,
Norfolk, Virginia.

Chloroform is used in the navy. Its use has been confined to amputations and other painful and protracted surgical operations, and with decided benefit.

D. B. PHILLIPS,
Assistant Surgeon United States Navy.

PHILADELPHIA.

Ether and chloroform are both employed as anæsthetic agents in the United States navy. Diminish mortality in a very notable proportion.

JOHN O'CONNOR BARCLAY.
Passed Assistant Surgeon United States Navy.

UNITED STATES NAVY YARD,
Gosport, Virginia.

Samuel Barrington, surgeon United States navy, says they are used in the army and navy.

UNITED STATES STEAM FRIGATE SAN JACINTO,
Gosport, Virginia.

I have witnessed the use of ether and chloroform as anæsthetic agents in the navy. These agents have been very generally employed in a great variety of cases, and with favorable effect.

JOHN H. WRIGHT,
Passed Assistant Surgeon United States Navy.

UNITED STATES NAVAL RENDEZVOUS,
Boston, January 30, 1852.

I have seen chloroform used in the navy. * * * I would use it in all surgical operations when it was desirable to prevent pain.

GEO. MALTSBY, *United States Navy.*

UNITED STATES MARINE HOSPITAL, *St. Louis.*

My impression is, that they are used in the army and navy to a considerable extent, my impression being derived from an acquaintance with many of the medical staff of those branches of the public service, from their publications in the medical journals of the country, and from their known disposition to keep

pace with the progress of science. They are regarded as one of the greatest gifts that science could lay on the altar of humanity. They have now been used on perhaps millions of persons, indiscriminately, in both hemispheres.

CHAS. A. POPE, *United States Navy.*

UNITED STATES MARINE HOSPITAL,
New Orleans, February 17, 1852.

As regards the use of anæsthetic agents, we have invariably employed chloroform in operations; also for perineal section, for stricture of the urethra, and minor surgery, without any unpleasant results, and, I think, with more favorable convalescence.

P. B. McKELVEY,
Principal Physician and Surgeon.

Dr. J. H. Hopkinson, United States navy, uses chloroform.

William Lowber, United States navy, says ether and chloroform are used.

John H. Wright, passed assistant surgeon United States navy, uses them.

D. B. Phillips, assistant surgeon United States navy, has used them.

John L. Fox, surgeon United States naval hospital, Chelsea, says he has used them.

John L. Burtt, United States navy, United States naval hospital, New York, uses chloroform.

George Blacknall, surgeon United States navy, Norfolk, Virginia, says they are used.

William A. Nelson, M. D., United States navy, says it is used in the navy.

D. S. Edwards, surgeon United States navy, says ether and chloroform are used in the navy.

Charles S. Tripler, surgeon United States army, Fort Gratiot, Michigan, uses them.

R. O. Wood, surgeon United States army, says it has been used in the army.

A. S. Wotherspoon, assistant surgeon United States army—surgeon general's office—bears testimony to its high value.

Josiah Simpson, assistant surgeon United States army, Fort Wood, New York harbor, uses ether.

Dr. Macklin, assistant surgeon United States army, uses ether.

L. D. Williams, Havre de Grace, says anæsthetic agents are used.

Ebenezer Swift, surgeon United States, Fort Martin Scott, Texas, uses anæsthetic agents.

Dr. J. N. Schoolfield, marine hospital, Norfolk, Virginia, use sanæsthetic agents.

Dr. Henry S. Leveret, United States marine hospital, Mobile, uses anæsthetic agents.

Dr. William Ingalls, United States marine hospital, Chelsea, Massachusetts, uses anæsthetic agents.

Dr. M. L. Hewitt, United States marine hospital, Cleveland, Ohio, uses them.

Alexander H. Hassier, Texas, assistant surgeon United States army, uses anæsthetic agents.

Thomas H. Williams, assistant surgeon United States army, Fort North, Texas, speaks highly of them.

T. C. Madison, United States army, uses anæsthetic agents.

Extract of a letter from Henry I. Bowditch, physician of the Massachusetts General Hospital.

BOSTON, *Janu*

I presume that the dicovery of the anæsthetic properties of eth
tical application to medicine, will take a rank quite equal to that

To no one does the world owe so much for this practical application as to Dr Morton. In fact, I am fully convinced that had it not been for the boldness of that gentleman the *world*, to the present hour, would have been ignorant of these peculiar adaptations of ether to alleviate human suffering. I say boldness *now*. In former times, however, I said *rashness;* for I believe I may say, without fear of contradiction, that the medical profession, as a body, would have feared death as the result from experiments such as are now made daily without the least fear. Dr. Morton has convinced us from error. Doubtless he received suggestions from other similar experiments made by several individuals, but to his indomitable perseverance do we *finally* owe all the essential good which the discoverer has bestowed on man.

I hope, therefore, that Dr. Morton will receive a tribute of respect from Congress that shall be commensurate with the great benefits that he has bestowed upon the nation.

I remain, very respectfully, yours,

HENRY I. BOWDITCH.

Hon. W. H. BISSELL.

Extract of a letter from Henry J. Bigelow, professor in Harvard University, and surgeon in Massachusetts General Hospital.

BOSTON, *January* 3, 1852.

I trust that Dr. Morton will now at last receive a substantial and liberal return for his discovery that ether can annul pain—1 with safety—with less risk, for example, than everybody daily encounters either in walking or riding; 2, with certainty in every case.

I have the honor to be, respectfully, your ob't servant,

HENRY J. BIGELOW.

W. H. BISSELL, *Chairman, &c.*

Extract of a letter from James Jackson, M. D., professor emeritus of theory and practice of physic in the University at Cambridge, honorary member of the Royal Medico-Chirurgical Society of London, &c.

BOSTON, *January* 5, 1852.

I have, nevertheless, watched the new use of ether and chloroform with great interest from the first annunciation *of this discovery by Dr. Morton;* and I will say, in general, that it would be difficult to exaggerate the benefits of these anæsthetic agents.

The great and undoubted benefits of ether are shown in surgical and obstetric practice; and I believe these are such as to entitle the discoverer of its good effects, when employed by inhalation, to a very large reward.

I am, sir, very respectfully, your obedient servant,

JAMES JACKSON.

Hon. W. H. BISSELL.

In a communication to the former committee of the House, Dr. Jackson says:

"In my opinion Dr. Morton is entitled to a grant from Congress, for the ether discovery, more than any and all other persons in the world."

Extract of a letter from Richard Girdler, M. D.

BOSTON, *January* 27, 1852.

I was present at those operations when ether was first administered at the hospital; saw its effects with admiration and astonishment, and am witness to

its successful application almost every day; and hope the committee will report favorably upon the just claims of Wm. T. G. Morton, who I believe is entitled to the merit of the discovery, and consequently should receive a fitting reward.

Very respectfully, sir, your obedient servant,

RICHARD GIRDLER,
Superintendent Massachusetts General Hospital.

Hon. W. H. BISSELL.

Extract of a letter from George Hayward, M. D., professor of Harvard University, and surgeon in Massachusetts General Hospital.

BOSTON, *January* 8, 1852.

I cannot close this letter without saying that I regard sulphuric ether, the agent first used by Dr. Morton, as by far the best anæsthetic agent; that I believe the world are indebted to him for its introduction into practice by proving by actual experiment, what was not before known or generally believed, that it could be inhaled with safety.

I certainly regard this discovery as one of the greatest of the age, and think that Dr. Morton is entitled to a liberal grant from our country for the benefit that he has conferred on the human race.

I am, with much respect, your obedient servant,

GEO. HAYWARD.

Hon. W. H. BISSELL.

Extract of a letter from Thomas P. Jackson.

BOSTON, *February* 4, 1852.

I consider the discovery and introduction of sulphuric ether as an anæsthetic agent to be second to no discovery in medical science, not even to the discovery of vaccination, and that we are solely indebted for its introduction by Dr. Wm. T. G. Morton.

My opinion is that no compensation Congress can confer on Dr. Morton will equal his deserts, and I really hope that for once a deserving man may receive his recompense during his life, instead of having a monument erected over his grave. I would say, in conclusion, that I have not the slightest acquaintance with Dr. Morton, and that I believe it is the general wish of the profession in this vicinity that Dr. Morton shall receive some remuneration for the benefits he has conferred on suffering humanity,

Yours, respectfully,

THOS. P. JACKSON, *M. D.*

Hon. WM. H. BISSELL.

Extract of a letter from Dr. Putnam.

BOSTON, *February* 14, 1852.

In regard to the estimate in which I hold it, (ether,) I cannot perhaps give a more satisfactory proof than by stating that, immediately after my first experiments, I insisted on Dr. Morton's acceptance of a small sum of money in acknowledgment of my personal obligation to him, and as an earnest of what I considered to be his due from the whole community.

With great respect, I am yours,

CHAS. G. PUTNAM, *M. D.*

THE COMMITTEE.

Extract of a letter from Augustus A. Gould, M. D.

BOSTON, *January* 15, 1852.

I cannot but hope that Congress will do something noble in this case. Other nations have already bestowed honors and emoluments upon those they have deemed entitled in testimonial of their appreciation of this the greatest boon which has yet been granted to the keenest sufferings of mankind. And it is not seemly that our own nation should pass by in silence one of the greatest and most universally applicable discoveries which the world can boast of. The person or persons instrumental in bestowing it deserve substantial reward.

I have happened to know every step in the early introduction of the use of ether as an anæsthetic agent. And I am familiar with the odium, the denunciations, and the persecutions, and threatened persecutions, which were so liberally showered at its introduction. They came from honest men, whose experience had led them to apprehend serious danger. But with firmness of purpose, disregard of threats, and no lack or stint of expense, the demonstration was soon complete, and all rational opposition has long since been silent; and now it is not only a subject for national pride and national gratitude, but it commands and receives the gratitude of the world.

Very respectfully, your obedient servant,

AUGUSTUS A. GOULD.

Hon. W. H. BISSELL.

Extract of a letter from Albion S. Dudley, M. D.

BOSTON, *February* 3, 1852.

Dr. Morton certainly was the first in this city to *reveal* the anæsthetic effects of the sulphuric ether to the *public*, and successfully introduce it into the Massachusetts Medical College, *to my certain knowledge.*

I have the honor to be, yours, respectfully,

ALBION S. DUDLEY.

Hon. W. H. BISSELL.

Extract of a letter from A. L. Peirson, M. D.

SALEM, *January* 17, 1852.

I have toiled through five and thirty years of medical, and especially surgical, practice, in a dense population, during most of the time in conscious need of some pain-destroying remedy, and I hail the discovery of the application of the properties of ether with devout gratitude to a beneficent Creator, who has vouchsafed such a blessing to suffering humanity; and with sincere thankfulness to Dr. Morton as being the efficient and fortunate agent by whose means it has been placed in the hands of the medical profession. For although the inhalation of ether, to produce intoxication, may not have been a new idea previous to October, 1846, yet Dr. Morton at that time partially demonstrated its safety, utility, and applicability in making surgical operations painless, and was the procuring cause of its being now employed by all classes of medical practitioners in taking away that dread of human nature, pain.

I have the honor to subscribe myself, very respectfully,

A. L. PEIRSON.

Hon. W. H. BISSELL.

Letter from J. F. May, professor of surgery National Medical College, Washington.

WASHINGTON, *February* 10, 1852.

SIR: I have received your circular requesting of me an answer to the following inquiries:

1st. Is ether or chloroform used as an anæsthetic agent in your institution?

2d. If used, to what extent, in what classes of diseases, or of operations, and with what effect?

3d. What, in your opinion, is their effect in diminishing mortality?

4th. To what extent, in what classes of cases, and with what result are they used in private practice in your vicinity?

5th. In what appreciation are they held by the medical faculty within your knowledge?

I reply:

1st. Chloric ether is always used by me and my colleagues as an anæsthetic agent in every operation of any importance that is performed in the Washington Infirmary, of which institution I am one of the surgeons.

2d. For more than three years I have constantly used it, both in hospital and in private practice, and it has never in a single instance disappointed me in producing insensibility to pain, and I have never found its administration to be attended or followed by any serious result. I have given it at all ages, from the tender infant to the old and infirm man, and from a few moments to more than an hour at a time. I have performed under its influence many of the most important and capital operations of surgery; among which I may mention lithotomy, strangulated hernia, the removal of tumors from various regions, the different amputations of both the upper and lower extremities, from the removal of a finger to disarticulation of the hip joint, &c.

3d. I am perfectly convinced that the use of anæsthetic agents has greatly diminished the mortality of surgical operations, and I am prepared to say, further, that I would almost as soon think of amputating a limb without previously compressing its principal artery as to perform a difficult and dangerous operation without first putting the patient in an anæsthetic state. I consider it, in fact, so important an element to the success of the surgeon in severe and formidable operations, by preventing all shock to the system, that I think he ought to decline any operation of magnitude and danger, should he meet with a refusal on the part of the patient to be subjected to its influence. But fortunately there are few who are not only willing but anxious to be soothed by the magic spell which, to the victim, robs surgery of nearly all its terrors, and to the surgeon brings pleasure, from the knowledge that he inflicts no pain.

4th. I believe that all important surgical operations in private practice in this vicinity are performed under anæsthetic influence, and with the results that I have already mentioned.

5th. I believe that the medical faculty throughout the civilized world, where anæsthesia has been introduced, consider it to be one of the greatest boons that has ever been given to suffering man; and believing Dr. Morton to be its discoverer, I trust he will receive from government a compensation commensurate with the immense benefit it has conferred upon the human race.

I have the honor to be, very respectfully, &c.,

JNO. FRED'K MAY.

Hon. W. H. BISSELL.

Extract of a letter from Alex. H. Steevens, M. D.

NEW YORK, *January* 5, 1852.

Without the slightest knowledge of Dr. Morton, or of any one connected, or claiming to be connected, with this discovery, and without assuming that he is mainly the discoverer, *which yet I believe*, I take leave to state that the claims of scientific discoverers to reward is a strong one.

The community is taxed by patent rights for inventions to the amount of many millions annually. The men of science paying themselves a part of these taxes, and bringing to light, by their unpaid labors, scientific discoveries from which these inventions in a great measure take their rise, are left entirely, in this country, without any reward whatsoever. In Europe they are rewarded, besides that they are supported by salaries attached to their membership of scientific institutions.

In view of these considerations, and looking not only to what is just as between science and government, but what is, in a very high degree, and altogether beyond the appreciation of unlearned men, expedient, as respects the interest of the government, liberal rewards should be given for unpatented discoveries.

With very great respect, I am, very truly, your obedient servant,

ALEX. H. STEEVENS.

Hon. W. H. BISSELL.

P. S.—From an official connexion with the three great hospitals in this city, embracing about 3,000 patients, I am enabled to state that anæsthetic agents are generally used in puerperal cases, in painful chronic diseases, in the reduction of fractures and dislocations, and in other capital surgical operations, many of which are rendered more successful, and not a few only practicable by their use. I consider it the greatest discovery in medicine since that of Jenner. It is to the healing art what steam navigation, electro-magnetism, and railroad travelling are to commercial and social communications.

A. H. S.

Extract of a letter from Hugh H. McGuire, M. D.

WINCHESTER, *Virginia.*

I regard the discovery of anæsthetic agents the most important discovery made in surgery for the last century. It is also entirely American; for although attempts have been made for a long time to destroy sensibility to surgical operations, no approximation was made to it until it was discovered, in Boston, that sulphuric ether would produce total insensibility. Now, it has been the practice in all enlightened countries to reward important discoveries in a very liberal manner, I do hope that an American Congress will not fail to follow the example. The use of these agents have become so common and general throughout Europe, that a late distinguished professor, of Philadelphia, during a visit to Europe, was constantly asked if it was possible any surgeons in America could be found opposed to them. I have no hesitation in stating that not only is pain avoided, but many lives saved by their use; for the nervous shock, in consequence of serious operations, not unfrequently ends in death. This is avoided by anæsthesia. * * * * * * *

It would be just and proper to make him a liberal pension for it. It would not only be an incentive and stimulus to further discoveries in this extensive field of science, but redound to the credit of the government, here and abroad.

Very truly, your friend,

HUGH H. McGUIRE,
Professor of Surgery.

Hon. CHAS. J. FAULKNER.

Jacob Bigelow, M. D., president of the Academy of Arts and Sciences, professor in Harvard University, and physician to Massachusetts General Hospital, in a letter to Hon. W. H. Bissell, says:

"It is considered by myself, and by the more intelligent part of my medical friends, as the most important medical discovery of the present age."

In an article published in the Medical and Surgical Journal of July 7, 1847, he says:

"In the case of Dr. Jackson, if he did make the discovery in 1842, as asserted, or even later, he stands accountable for the mass of human misery which he has permitted his fellow-creatures to undergo, from the time when he made his discovery to the time when Dr. Morton made his. In charity we prefer to believe that, up to the latter period, he had no definite notion of the real power of ether in surgery, having seen no case of its application in that science."

Letter from Professor Simpson, the discoverer of chloroform.

EDINBURGH, *November* 19, 1847.

MY DEAR SIR: I have much pleasure in offering, for your kind acceptance, the accompanying pamphlet. Since it was published, we have had various other operations performed here, equally successful. I have a note from Mr. Liston, telling me also of its perfect success in London. Its rapidity and depth are amazing.

In the Monthly Journal of Medical Science for September, I have a long article on etherization, vindicating your claims over those of Jackson.

Of course, the great thought is that of producing insensibility; and for that the world is, I think, indebted to you.

I read a paper lately to our society, showing that it was recommended by Pliny, &c., in old times.

With very great esteem for you, allow me to subscribe myself,

Yours, very faithfully,

J. Y. SIMPSON.

Dr. W. T. G. MORTON.

Extract of a letter from J. Parkman, M. D., of Boston.

Life may also be saved from the more ready submission of the patients to necessary operations, since they can be assured that they are painless. And inasmuch as pain and spasm do destroy life, it is fair to presume that agents relieving these must diminish mortality.

In private practice in this city anæsthetic agents are in universal use in all surgical operations, and also *in all the operations of midwifery.* They are in quite general use in all diseases requiring an antidote to pain and spasm, as one of the means to allay them, and some practitioners use them in all cases of childbirth.

I remain, very respectfully.

J. PARKMAN,

One of the Surgeons of the Mass. Gen. Hospital.

Hon. W. H. BISSELL.

Extract of a letter from S. D. Townsend, M. D., of Boston.

It has been used almost daily for diseases of a spasmodic and painful character, and in all surgical operations, with the effect of relieving pain and annihilating perfectly all suffering in surgical operations. I believe it diminis-

mortality, by relieving spasmodic diseases, and preventing the severe shock of surgical operations. In private practice it has been used to the same extent, and in the same classes of cases, and with the same result as occurring in the Massachusetts General Hospital, with the addition of cases of midwifery, in which it prevents the sensation of pain, without retarding delivery.

Very respectfully, your obedient servant,

S. D. TOWNSEND,

One of the Surgeons of the Mass. Gen. Hospital.

Extract of a letter from S. Mason Warren, M. D., of Boston.

Sulphuric ether and strong chloric ether are used at the Massachusetts General Hospital. Chloroform is not used.

The above substances are used in almost every surgical operation, and in many diseases attended with severe pain. I have seen them exhibited in more than two thousand cases, including hospital and private practice, and never with any bad result. By preventing the severe shock to the system in surgical operations, it is probable that they have an influence in diminishing mortality. In surgical operations in private practice, I have used the chloric and sulphuric ethers, principally the former; also in many obstetric cases, and to relieve suffering in painful diseases, often as a substitute for opium; and I believe them to be used by most other practitioners of Boston and the vicinity, for the same purposes, and with a satisfactory result.

Very respectfully, yours,

S. MASON WARREN,

One of the Surgeons of the Mass. Gen. Hospital.

Hon. W. H. BISSELL.

Extract of a letter from John Ware, M. D., of Boston.

Their most important use is in the practice of midwifery. They are employed very generally in severe, protracted, and dangerous cases. My belief is, from my own experience, and from the concurrent testimony of all practitioners with whose opinions I am conversant, that they not only diminish, and sometimes annihilate, the suffering which is attendant on parturition, but that they lessen also the dread of it, which is so strong a feeling in the minds of females; and further, that they render patients less liable to the subsequent ill effects of severe labors, especially those in which the use of instruments are necessary.

I have employed or seen them employed in asthma, in croup, in convulsions of children and adults, in neuralgia, in the spasmodic affections of fever, and in many other cases of a more indefinite character, into the description of which it is not now necessary to your purpose to enter. I have also employed them with signal advantage to alleviate the sufferings which occur toward the close of life, or in the act of death, in patients who have had irrecoverable diseases.

Their introduction is regarded by all practitioners within my circle of acquaintance, whose opinions I should regard as of value, as the most important discovery in practical medicine and surgery, which has been made since that of vaccination by Dr. Jenner.

I am, very respectfully, your obedient servant,

JOHN WARE.

Hon. W. H. BISSELL.

Extract of a letter from J. S. Jones, M. D., of Boston.

In the private practice in my vicinity the use of these anæsthetic agents is quite common in dentistry, in midwifery, and scarcely any operation of surgery

is performed without its use. The reduction of dislocations and the adaptation of fractured bones are materially aided by the effects of ether, besides the freedom from suffering enjoyed by the injured person when under its effects.

Respectfully, yours,

J. S. JONES.

Hon. W. H. BISSELL.

Extract of a letter from Z. B. Adams, M. D., of Boston.

It is almost uniformly used, both in public and private practice, in dentistry, in midwifery, and in all surgical operations; also to cause muscular relaxation in the reduction of hernia; has been eminently successful in cases of convulsions after delivery, and in alleviating the excruciating pain caused by the passage of calculi through the ureters. It is an exceedingly rare thing to hear of any dangerous or even serious effects from the use of either ether or chloroform. The good effects are almost incalculable.

Very respectfully, your obedient servant,

Z. B. ADAMS.

Hon. W. H. BISSELL.

Extract from a letter written by Dr. John Jeffries, physician to the Massachusetts General Hospital.

For my opinion of the benefits bestowed upon the world by Dr. Morton, please allow me to refer you to a note addressed by me to the Hon. R. C. Winthrop:

"Dr. Morton, who visits Washington to seek some remuneration from government for the benefit which he has conferred upon the country by the introduction of sulphuric ether, requests me to express to you my opinion (which I do most unreservedly) that the world is indebted entirely to Dr. Morton for the introduction of this agent to produce insensibility to pain, and that it is a physical blessing not second to any that has been conferred upon suffering humanity.

"I sincerely hope that Dr. Morton will receive some remuneration for his very great benefaction.

"With high respect, your obedient servant,

JOHN JEFFRIES.

"Hon. R. C. WINTHROP,
"*Speaker of the House of Representatives.*"

Oliver W. Holmes, the distinguished poet, and a physician to the Massachusetts General Hospital, held the following language in an opening address of the Medical college, Boston:

"The knife is searching for disease, the pulleys are dragging back dislocated limbs, Nature herself is working out the primal curse, which doomed the tenderest of her creatures to the sharpest of her trials; but the fierce extremity of suffering has been steeped in the waters of forgetfulness, and the deepest furrow in the knotted brow of agony has been smoothed forever."

Again, in a communication to the Hon. Isaac E. Morse, he says:

"It is a notorious and wholly undisputed fact that Doctor Morton in person instituted the first decisive experiments, at the risk of his reputation, and with a courage and perseverance, without which, even had the idea of the possibility of such effects been entertained, the world might have waited centuries or indefinitely before the result was reached.

"It is well known that Dr. Morton, instead of profiting by his discovery, has

suffered in mind, body and estate, in consequence of the time and toil he has consecrated to it.

"I have no particular relations with Dr. Morton, and no interest in common with him to bias me in my opinion and feelings. But, remembering what other countries have done for their public benefactors, and unwilling to believe that a rich and prosperous republic cannot afford and will not incline to indulge its gratitude whenever a proper occasion presents itself, I have addressed you this line to tell you that I think now is the time and this is the man.

"O. W. HOLMES.

"Hon. ISAAC E. MORSE."

Extract of a letter from Geo. B. Loring, M. D., Salem, Mass.

It is one month since I had charge of the Marine Hospital, Chelsea, Massachusetts; and any statement based on personal experience must be founded upon my practice there.

In all operations, in all painful natural processes, in all diseases attended with great local suffering, the intelligent and philanthropic physician avails himself of the great blessing. And while so much suffering is relieved, it cannot be doubted—in fact, it is satisfactorily proved—that mortality attending these operations, processes, and diseases, is materially diminished.

As the interrogatories addressed to me have grown out of an inquiry into the "claims of Wm. T. G. Morton, of Boston, to the merit of the discovery," it may be proper to state to the committee that its credit has been from the earliest date almost universally accorded to Dr. Morton by those of the profession who have given it their careful investigation. During its development, the surgeons and officers of the Massachusetts General Hospital examined its merits under the special guidance of Dr. Morton, and with a full recognition of his sole agency in the practical experiments which were leading to its establishment. And now that those events have passed into history, the historiæ of the hospital records as a fact fixed by all reliable testimony that Dr. Morton is the discoverer.

It should be borne in mind that this is the verdict of the immediate locality in which the discovery was made; and any recognition from abroad of Dr. Jackson's claims to it is no more than should be expected from the scientific world towards any pertinacious and untiring claimant holding his high position, be the claims true or false.

GEO. B. LORING.

Hon. W. H. BISSELL.

Extract from a letter written by Dr. Francis Boott, of London.

I was much interested in the discussion of the ether question, and entirely agree with you in your conclusion. I should say, as in the case of the yacht-race, "*Morton is first, and Jackson nowhere.*" I am glad to find you are making a gallery of portraits of your benefactors and distinguished medical men, and Morton's should be among them. I still hope Congress will reward him.

Hon. H. W. BISSELL.

Extract of a letter from S. Paris, M. D., of Greensboro', Alabama.

The medical faculty appreciate it highly, and seem at a loss to know how they would practice without it, nor could a man be sustained by his medical brethren or the community who would refuse to use it. In fine, it is to the medical professsion the greatest discovery of modern times, hardly excepting quinine.

Very respectfully,

S. PARIS.

Hon. W. H. BISSELL.

Extract of a letter from James Ayer, M. D., of Boston.

The cases in which they are more especially employed are in nearly all surgical operations where suffering is an attendant; in surgical diseases generally painful, and frequently protracted. They are also used in diseases of a spasmodic character, as cholera, cramps, colic, asthma, and in rheumatism and neuralgia. A great variety of cases in midwifery, as well as hysteria and convulsions, and many other painful diseases which might be added to this list, are very essentially relieved by these remedies.

Your obedient servant,

JAMES AYER.

Hon. W. H. BISSELL.

Extract of a letter from P. M. Crane, M. D., of East Boston.

In nearly all the operations of surgery which are likely to be attended with pain, either chloric ether, sulphuric ether, or chloroform, is used So uniform is the belief in their utility that no surgeon at the present time would do without them. In obstetric practice they are also extensively used where cases occur requiring instrumental interference, but are not much employed in natural labor.

With much respect,

P. M. CRANE.

Hon. W. H. BISSELL.

Extract of a letter from John H. Dix, M. D., of Boston.

In all painful operations upon the globe of the eye and its appendages these agents afford incalculable relief, both physically and mentally. The severe operations upon the internal textures of the globe of the eye, not in themselves painful, but requiring for their satisfactory performance absolute immobility of the organ, these agents insure what, in young subjects especially, was heretofore only approximated to.

In the few operations of ophthalmic surgery which endanger life, I find from the use of these agents a diminished tendency to inflammatory action within the cranium, and therefore less hazard to life. In aural surgery, though not frequently required, anæsthetic agents are of great value, chiefly in the removal of morbid growths from the external or internal ear. I believe that no other discovery in the whole range of medicine and surgery (with the exception, perhaps, of vaccination) has in the same time contributed so much to relieve suffering and prolong life.

Yours, respectfully,

JOHN H. DIX.

Hon. W. H. BISSELL.

Extract of a letter from John Appleton, M. D., West Newbury, Mass.

I have lately observed a good effect follow the inhalation of chloroform during a paroxysm of severe suffering from dysmenorrhea, in which relief was almost instantaneous.

It is, however, in obstetric practice that I have most frequently used these valuable agents, and I regard their usefulness in this relation as among the most valuable results of their discovery.

Respectfully, yours, &c.,

JOHN APPLETON.

Hon. W. H. BISSELL.

Extract of a letter from L. B. Morse, M. D., Boston, Mass.

They are used in most cases of important or capital surgery, in many cases of delirium tremens, tetanus, and similar neuralgic diseases, and in dental surgery, also by some of our medical practitioners in common use in midwifery.

It diminishes mortality in three ways: 1st. In severe surgical operations, by entire relief from nervous excitability and reaction which attend them; 2d. By giving time for the use of the knife, and the careful completion of a dangerous operation, in the perfect quietude of the patient; 3d. The rest recured by some patients in certain neuralgic diseases which, if not attained, death is the result.

I am, sir, your obedient servant,

L. B. MORSE.

Hon. H. W. BISSELL.

Extract of a letter from L. H. Anderson, M. D., Sumterville, Ala.

I think anæsthetics diminish mortality in two ways: 1st. By preventing the shock of pain on the nervous system; 2d. By securing perfect immobility of the patient, and enabling the surgeon to operate more safely and exactly.

I am, very respectfully, your obedient servant,

L. H. ANDERSON, *M. D.*

Hon. W. H. BISSELL.

Extract of a letter from S. Blanding, M. D., Columbia, S. C.

Its use has induced patients to submit to the knife early; when otherwise they would have resulted fatally.

I consider it one of the most important discoveries of the age in mitigating human suffering, and often in saving life.

I have the honor to be, yours, &c.,

S. BLANDING.

Hon. W. H. BISSELL.

Extract of a letter from William Ellis, M. D., Oglethorpe, Ga.

It is my deliberate opinion, founded upon experience, that their effects in diminishing mortality is more than fifty to one, for, if properly administered, the effect is to take away all fear from the patient, and absolutely free the nervous system from irritation, and thereby prevent any interruption in the various organs in performing their functions naturally, and of course healthily.

In private practice its most happy and beneficial effects is in obstetrics; nothing is or can be of so much value to a woman in labor in proportion to the difficulty attending labor; so is its benefits, and if in no other, in this class of cases alone, it is the greatest discovery in any age of the world for the relief of suffering humanity. Deprive me of its benefits, and I should almost, if not altogether, abandon my profession.

WILLIAM ELLIS.

Hon. W. H. BISSELL.

B.

CLAIMS OF CONTESTANTS.—NITROTS OXIDE.

It generally happens in cases of great discovery, where the object has been much needed, long thought of, and long sought, that when discovery is at last made, and its truth and utility established, a host of claimants rise up and contest the prize, each asserting for himself precedence and priority. So it has been, and is in this case; but of several claimants, two only require the notice of your committee.

Doctor Horace Wells, already named in this report, was a surgeon dentist of the city of Hartford, and former partner of Dr. Morton, with whom he had parted some years before in kindness.

As soon as Dr. Morton had perfected his discovery, obtained the countenance and support of the medical hospital, and made up his mind to apply for a patent, he put himself in connexion with Dr. Wells, and the following letters passed between them:

"BOSTON, *October* 19, 1846.

"FRIEND WELLS—DEAR SIR: I write to inform you that I have discovered a preparation, by inhaling which a person is thrown into a sound sleep. The time required to produce sleep is only a few moments, and the time in which persons remain asleep can be regulated at pleasure. While in this state the severest surgical or dental operations may be performed, the patient not experiencing the slightest pain. I have perfected it, and am now about sending out agents to dispose of the right to use it. I will dispose of a right to an individual to use it in his own practice alone, or for a town, county or State. My object in writing you is to know if you would not like to visit New York and the other cities, and dispose of rights upon shares. I have used the compound in more than one hundred and sixty cases, in extracting teeth, and I have been invited to administer to patients in the Massachusetts General Hospital, and have succeeded in every case.

"The professors, Warren and Hayward, have given me certificates to this effect. I have administered it at the hospital, in the presence of the students and physicians—the room for operations being as full as possible. For further particulars I will refer you to extracts from the daily journals of this city, which I forward to you.

"Respectfully, yours,

"WM. T. G. MORTON."

"HARTFORD, *Connecticut, October* 20, 1846.

"DR. MORTON—DEAR SIR: Your letter dated yesterday is just received, and I hasten to answer it, for I fear you will adopt a method in disposing of your rights which will defeat your object. Before you make any arrangements whatever I wish to see you. I think I will be in Boston the first of next week—probably Monday night. If the operation of administering the gas is not attended with too much trouble, and will produce the effect you state, it will undoubtedly be a fortune to you, provided it is rightly managed.

"Yours, in haste,

"H. WELLS."

Two things in this correspondence are worthy of observation: 1st. Though Dr. Morton does not name *gas* in his letter, Doctor Wells assumes that the anæsthetic agent was "gas," and the "*effect*" of his compound, as stated by Dr. Morton *in his letter, is* precisely the same with that now claimed by Dr.

Wells's friends for the nitrous oxide, as administered by him in the winter of 1844–'5.

Hon. Mr. Dixon (now United States senator from Connecticut) testifies that, having seen the correspondence published among Dr. Morton's papers, he applied to Dr. Wells for an explanation of it. That explanation will be found in the testimony of Mr. Dixon, and may be disposed of with the remark that it is evidently unsatisfactory on the face of it. The point for which that testimony is now referred to is simply to show that Dr. Wells admitted the genuineness of the correspondence, as hereinbefore quoted, from "A an examination of the question of anæsthesia, arising on the memorial of Charles Thomas Wells, representative of Horace Wells," which your committee have carefully examined.

How, then, can the letter of Dr. Wells of October 20, 1846, be reconciled with the pretensions now put forth for him?

The letter of Dr. Morton, to which it is a reply, distinctly claims as his discovery (then recently made) the very fact which, on behalf of Dr. Wells, as before quoted, is claimed to be the whole discovery, and the only discovery of any worth or value, viz: the fact of the actual effective application of some one or more of a class of agents *to the* purpose of producing insensibility to pain under surgical operations, with safety to the subject of them.

According to the proposition on behalf of Wells, *(and his whole case depends absolutely upon its admission,)* the particular agent used is unimportant to the discovery—the discovery being the truth that such insensibility was produced by one or more agents of a class of agents. But it is simply the result—the fact of insensibility to pain—which Dr. Morton claims in that letter to have discovered as producible by *something* which he does not describe or disclose.

Can it be disputed that this was a direct claim, advanced by Dr. Morton *to Dr. Wells himself*, of the whole body of the discovery which is now claimed for Wells? And can it be doubted that if that discovery, or anything like it, was then the property of Wells, his reply must have referred to it, if it did not effectually guard his right?

Yet Dr. Wells says: "*If the operation of administering the gas is not attended with too much trouble,* AND WILL PRODUCE THE EFFECT YOU STATE, it will undoubtedly be a fortune to you, provided it be rightly managed." Then why, it may be asked, if nitrous oxide, which is easily administered, produced precisely the same effect, was it not a fortune to Dr. Wells? Not, certainly, for want of skill in the management of a discovery so as to make the most of it, for he fears Dr. Morton will adopt an injudicious method in disposing of his rights, against which Dr. Wells intimates he can guard him. And his conversation with R. H. Eddy, at the time of his visit to Boston, is in keeping with the letter, and shows very clearly that he thought a patent ought to be applied for, *whether the subject was practicable or not, and that sales of rights should be made pending the application for the patent.*

This may be all well, but it did not prove him a novice in these matters. Mr. Eddy's statement is as follows:

"BOSTON, *February* 17, 1847.

"DEAR SIR: In reply to your note of this morning I have to state that, about the time I was engaged in preparing the papers for the procural of the patent in the United States on the discovery of Doctor Morton for preventing pain in surgical operations by the inhalation of the vapor of sulphuric ether, I was requested by Doctor Morton to call at his office to have an interview with the late Doctor Horace Wells, who was then on a visit to this city, and who, Doctor Morton thought, might be able to render him valuable advice and assistance in regard to the mode of disposing of privileges to use the discovery. Accordingly, I had an interview with Doctor Wells. During such meeting, we conversed freely on the discovery and in relation to the experiments Doctor Wells had

been witness to in the office of Doctor Morton. The details of our conversation I do not recollect sufficiently to attempt to relate them, but the whole of it, and the manner of Doctor Wells at the time, led me, in no respect, to any suspicion that he (Doctor Wells) had ever before been aware of the then discovered effect of ether in annulling pain during a surgical operation. Doctor Wells doubted the ability of Doctor Morton to procure a patent, not on the ground that he (Doctor Morton) was not the first and original discoverer, but that he (Doctor Wells) believed the discovery was not a legal subject for a patent. He advised him, however, to make application for one, and to dispose of as many licenses as he could, while such application might be pending; in fact, to make as much money out of the discovery as he could while the excitement in regard to it might last. I must confess that when, some time afterwards, I heard of the pretensions of Doctor Wells to be considered the discoverer of the aforementioned effect of ether, I was struck with great surprise, for his whole conversation with me at the time of our interview led me to the belief that he fully and entirely recognized the discovery to have been made by Doctor Morton, or, at least, partly by him and partly by Doctor C. T. Jackson, as I then supposed.

"Respectfully yours,

"R. H. EDDY.

"R. H. DANA, Esq."

It seems evident here, at the very threshhold, that Doctor Wells did not, on the 20th of October, 1846, believe himself to be the discoverer of *an available anæsthetic agent.* But on the 19th of April, 1847, after he has determined the title to discovery with Doctor Morton, he addressed the following letter to the Boston Post, in which he very greatly misrepresents the contents of Doctor Morton's letter to him, as any one will be satisfied on an inspection of the two papers, and on that misrepresentation rests the explanation of his reply:

"HARTFORD, *April* 19, 1847.

"*To the Editor of the Boston Post:*

"I have just seen a long article in your paper of the 7th instant, signed 'E. W.,' which I will answer in one word. The letter which is there introduced with my signature was written in answer to one which I received from Dr. Morton, who represented to me that he had discovered a 'compound,' the effects of which, as described by him, entirely eclipsed those produced by nitrous oxide gas, or sulphurate ether, he stating that his compound would invariably produce a sound sleep, the length of which was wholly optional with the operator; that he had not made a single failure in one hundred and sixty cases, &c., &c. He also stated that he had obtained a patent for this compound. I accordingly started for Boston to learn more of this improvement on my discovery, with which I had made him acquainted long before.

"While at his office I saw the so-called compound administered to a patient; it apparently had the same effect as the gas which I had many times administered for the same purpose. Before I left for home the gas was given to several other patients with but partial success—at least, so said the patients with whom I conversed. I then inquired about his patent, and found, to my surprise, that he had not obtained one, nor even made an application for one, this being done at a subsequent period, as the date of his specifications and patent clearly show. Respecting the interview which E. W. had with the Hon. James Dixon, at Washington, I am informed by Mr. Dixon that the statement of E. W. in the article referred to is a gross misrepresentation of the truth, and, if necessary, he will sign a certificate to that effect.

"Respectfully,

"HORACE WELLS."

who is said to be 'dead drunk' may receive severe blows, apparently wi
the least pain, and when in this state is much more tenacious of life than
in the natural state. I accordingly resolved to try the experiment of inh
an exhilarating gas myself for the purpose of having a tooth extracted. I
obtained some nitrous oxide gas, and requested Dr. J. M. Riggs to perfor
operation at the moment when I should give the signal, resolving to hav
tooth extracted before losing all consciousness. This experiment proved
perfectly successful; it was attended with no pain whatever. I then perfo
the same operation on twelve or fifteen others with the same results."

The actual facts of the discovery, if discovery it is to be called, are det
in the following statement filed as evidence by the representatives of Dr. V
to support his claim:

"STATE OF CONNECTICUT,

"*County of Hartford.*

"I, Samuel A. Cooley, a citizen of Hartford, county of Hartford, State of
necticut, depose and say that on the evening of the 10th day of December, i
year 1844, that one G. Q. Colton gave a public exhibition in the Union H
the said city of Hartford, to show the effect produced upon the human syste
the inhaling of nitrous oxide or laughing gas; and in accordance with the re
of several gentlemen, the said Colton did give a private exhibition on the
ing of December 11, 1844, at the said hall; and that the deponent then inl
a portion of said nitrous oxide gas to ascertain its peculiar effect upon his sy
and that there were present at that time the said Colton, Horace Wells,
Colton, Benjamin Moulton, and several other gentlemen, to the deponent a
time unknown; and that the said deponent, while under the influence of the
gas, did run against and throw down several of the settees in said hall, the
throwing himself down, and causing several severe bruises upon his knees
other parts of his person; and that, after the peculiar influence of said ga
subsided, his friends then present asked if he had not injured himself, and
directed his attention to the acts which he had committed unconsciously
under the operation of said gas. He then found by examination that his l
were severely injured; and he then exposed his knees to those present

ıd the said Wells, C. F. Colton, and G. Q. Colton, and your deponent, and thers at this time unknown to said deponent, proceeded to the office of said Vells; and that said Wells there inhaled the gas, and a tooth was extracted y Dr. Riggs, a dentist then present; and that the said Wells, after the effect f the gas had subsided, exclaimed, 'A new era in tooth pulling.' "

On the same point G. Howell Olmstead, of Hartford, says:

"In answer to your question I would state that I wish to render justice to ll parties concerned. Having been connected in business with Dr. Wells, and eing very intimate with him, we had a great many conversations together about ıe effect of the gas, and in those conversations he always told me he derived his rst idea of the matter from remarks made by Dr. S. A. Cooley, at a private exibition of laughing gas given at the Union Hall in this city, in the winter of 844 or '45; and that, from those remarks, and what he witnessed himself, he amediately applied it to his own business."

Dr. Ellsworth, of Hartford, when under examination, says, in answer to—

"Question 20. Why do you think I refer to that time?

"Answer. Because I suppose you know that Dr. Wells always claimed that he ook his idea from knowing that a person might be bruised without knowing it; ıat he derived his knowledge of this fact either from seeing some one so bruised r hearing that such was the case at a public lecture in this city."

Dr. Riggs, of Hartford, an intimate friend of Dr. Wells, testifies, among other ıings, as follows:

"4. Question. Do you know Dr. S. A. Cooley?

"Answer. I know S. A. Cooley, who is called doctor from having been in a rug store.

"5. Question. Was Cooley in your office, or Dr. Wells's office, on the 11th of December, 1844?

"Answer. He was in Dr. Wells's office at that time; I think, without doubt, ıat is the date.

"6. Question. What other persons were present?

"Answer. Mr. Colton, who gave the gas and had a lecture at Union Hall, Hartford, the evening previous, myself, Dr. Wells, and I think two or three thers whose names I do not recollect.

"7. Question. What time in the day was it they came to Dr. Wells's office?

"Answer. I think between ten and twelve o'clock a. m.

"8. Question. Did Dr. Wells, Cooley, and Colton, and the other persons, come ı Dr. Wells's office together?

"Answer. I do not know; my impression is they came together.

"9. Question. Do you know from where they came at that time?

"Answer. I do not know; but they came with a bag of gas, and, as the gas as at Union Hall, I supposed they came from that place."

These witnesses corroborate the testimony of Cooley, and prove beyond conoversy that Dr. Wells, instead of *reasoning from analogy* to come to the conusion that a person on whom a wound was inflicted while under the excitement exhilarating gas would be insensible to pain, *saw it and heard it announced* the time when, and the place where, he got the idea, and, instead of consultg with Dr. Marcy, or any one else, as to the agent he should select, he had a g filled with gas and moved off in company with Cooley and others who were ith him at the private exhibition when the accident occurred, and had his tooth awn under its influence. He then, as he says, performed the same operation ı twelve or fifteen others with like success. The fact, as it existed, indicates ore observation and promptitude, and less philosophical reflection, than that hich he gives in his several papers. It is quite as creditable had it been ankly told.

But in either case there was here no discovery of any principle or fact in ıysiology. It was known from the earliest ages that a person in a state of

high mental exaltation, or when fully under the influence of stimulants or narcotics, may be wounded or surgically operated upon and feel no pain. Dr. Wells, therefore, gave nothing to science in proving to those around him that the immunity from pain which the *gas* afforded extended as well to the drawing of a tooth as to the bruising of a knee.

Had he pointed out and proved to the world a *safe, certain*, and *convenient* agent to produce such well-known results, he would have been indeed a benefactor to his country and mankind; but concede him all he claims, and to the full extent of all that his own narrative shows, he gave nothing to science, nothing to mankind.

He operated on *twelve* or *fifteen* persons, and then went to Boston to test his discovery in the Medical College, in presence of its professors, a learned and enlightened body, well known to the scientific world. What he did there was not done in a corner. He failed. He had been treated kindly, had been allowed a fair trial, and returned home mortified and disappointed. He abandoned the enterprise. He certainly operated in no case after his return prior to the first of May, four months after, and did not *at that time* think the gas ought to be used in cases of dentistry. He says in his pamphlet of March 30, 1847, speaking of his unfortunate adventure in the Boston hospital:

"The excitement of the adventure immediately brought on illness, from which I did not recover for many months, being thus obliged to relinquish entirely my professional business."

The illness was "immediate," from the excitement of the adventure; the relinquishment of business "entire."

In the same pamphlet, page six, he says, in speaking of his conference with Dr. Warren: "In proof of this theory I related my experience in extracting teeth under the influence of nitrous oxide gas, stating that, with *one or two exceptions*, all on whom I had operated, numbering *twelve* or fifteen, assured me that they experienced no pain whatever." This would make from ten to thirteen successful cases. This argues very well with both the statement in conversation and the sworn testimony of the Hon. J. Dixon. In his conversation with Edward Warren, as sworn to by that witness, Mr. Dixon says: "As near as I can recollect, that, about two years before, he had heard that Dr. Wells was making some experiments with nitrous oxide gas to prevent pain in extracting teeth; that having a severe toothache, he called on him, proposing to take this gas, but that Dr. Wells informed him that, after giving it to thirteen or fourteen patients with only partial success, he had abandoned its use as dangerous, and dissuaded him from resorting to it."

Mr. Dixon himself, testifying as a witness, shows his memory to have been very exact; he says:

"I had repeated conversations with Riggs and Wells. Think both said that for so slight an operation as pulling teeth they would not advise its use, but that in severe surgical operations, as amputation, it should be used; but in slight operations it was not best to run the risk of using the gas. Wells said its use would entirely prevent pain, and he had extracted thirteen teeth with safety and without pain. These conversations were in May, 1845, and subsequent. Wells spoke of it as a recent discovery by him; said he had announced it to some of the Boston faculty. I think Jackson and Morton were mentioned by name, but am not positive. He spoke of an experiment before a class in Boston, in which he did not succeed as he had in Hartford, and the witnesses of his experiment discouraged him."

Twelve or *fifteen* cases he had tried, all except two, with success before he went to Boston in December, 1844, or January, 1845. He had succeeded in thirteen cases, in all, when he conversed with Mr. Dixon "in *May* 1845, *and subsequent*," and he thought the gas ought not to be used in *so slight an opera-*

tion as pulling teeth. Entertaining that opinion, he, of course, would not use it, and there is no evidence and no assertion on his part that he did use it from the time of his visit to Boston until Doctor Morton's discovery was promulgated and attracted the attention of the world. Nor was it for the want of sufficient opportunity to get the attention of the medical faculty, or for the want of health to pursue his investigations; on the contrary, in a letter to Doctor Morton dated July 31, 1845, we find him establishing himself in the practice of his profession in the city of New York, in the midst of hospitals and surgeons. The letter referred to is as follows:

"NEW YORK, *July* 31, 1845.

"FRIEND MORTON: You will see by the date of this letter that I am at present in New York. I came here about two weeks since for the purpose of starting a business to do plate work."

In his letter of February 17, 1847, he says:

"Since this discovery was first made I have administered nitrous oxide gas and the vapor of ether to about fifty patients, my operations having been limited to this small number in consequence of a protracted illness which immediately ensued on my return home from Boston in January, 1845."

So that in a little more than two years, from December, 1844, to February, 1847, he had administered to about fifty patients, and no more, for he seems well aware that the small number of cases will be marked against him, and he accordingly apologizes. Take the very loose testimony of the witnesses examined in behalf of his representatives without this connexion, and we would be led to conclude that he had operated on more than one-fourth of that number in a single day.

Doctor Wells was afraid to administer the nitrous oxide without the "co-operation of the medical faculty." But they would not co-operate. Of them he says: "*All were fearful of doing some serious injury with it.*" That is true. So they were, and so they would be now, if its use were again proposed. The medical faculty are, as a body, *cautious*, but not *timid*. They were afraid to use nitrous oxide lest they should do serious injury with it; but they were not afraid to use sulphuric ether when its anæsthetic qualities were made known to them. They received the announcement of its discovery with shouts of exultation; there was an end of *pain*, and an end of *mesmerism* as a pain-subduing agent; and it was at once received into universal use by the medical faculty. And the witnesses speak of it as a thing understood that Doctor Wells ceased his experiments and gave up the pursuit until after the time the discovery of Doctor Morton had obtained universal use and celebrity. Doctor Ellsworth, speaking of his failure in Boston, in the winters of 1844–'45, says:

"He presented it to Doctor Warren, who laid it before his class, but the experiment first attempted partially failing, and no one seeming willing to lend him a helping hand, he ceased making any further personal efforts."

Every scintilla of testimony which has application on or about this time implies total abandonment. Geo. Brinley, of Hartford, being interrogated, says:

"Question. Did you say, in the presence of Doctor Wells, that the individual who discovered this idea was stupid that he did not pursue it?

"Answer. I said it to him.

"Question. What did he say?

"Answer. I did not know him at the time, and begged his pardon. He said he would forgive me, as he saw I was his friend; that he was *stupid, or a jackass, that he had not pursued it.*"

Howell Olmstead, jr., of Hartford, who was engaged in disposing of the rights of sale for the patent shower-baths of Dr. Wells, says:

"I considered that he had abandoned the thing entirely, as he expressed himself to me; that the operation in some cases proved a perfect failure, and spoke of his unsuccessful trial in Boston in 1845. He expressed himself as being very sorry that he had not prosecuted his experiments to a successful termination; and he also regretted stopping the matter where he did, for he thought an immense fortune might be made of the business, and that the discovery would reflect great honor upon the discoverer."

The opinions of Drs. Wells and Riggs as to the impolicy of using nitrous oxide in cases of dentistry seems to have been that also of the profession in Hartford. But a very few cases could be proven of its use between January, 1845, and September, 1846, in the whole city of Hartford, although the persons thus operated upon during this period of nearly twenty months were called on by newspaper advertisements to appear and give their names to Doctor Ellsworth.—(Hartford Daily Times, November 24, 1852.) It had had its day and was abandoned, to be revived again and live for another brief day after the publication of Doctor Morton's successful experiments with sulphuric ether. Doctor Cooley, of Hartford, in answer to inquiries made of him by Doctor Morton as to the statement which he had given in behalf of Mrs. Wells, above referred to and partly set out, in answer to the inquiry, "you say, moreover, that you administered, when requested to do so by surgeons and dentists. 8th. Was this not subsequent to the ether discovery?" He says:

"Answer 8. Yes; it was after the ether discovery, in 1846, that I administered the gas for surgeons and dentists; that then being an attempt by us all to renew the experiments, as the public and ourselves had lost confidence, and doubted the practicability of the thing, until the successful introduction of ether. I administered gas for Dr. Ellsworth, an intimate friend of Wells, and also to several others; but the last time that I exhibited it was to a lady at Dr. Greenleaf's office, which, in a great measure, proved a failure, and then ether and chloroform assumed the place of the gas, and operations were more successful in the use of them; and since then I have had but little to do with the matter, as other business has taken up my time and attention.

"Answer 9. I knew of Dr. Wells going to Boston soon after the noise in the papers of the discovery of the effects of ether by you in 1846, and had a conversation with him on his return about your discovery. He made no claim to me of the discovery being his, but, on the contrary, expressed regrets that we had not continued our experiments to a successful termination."

Now, if all that Dr. Wells claimed, and all that his friends claim for him and for themselves, to have been done by him and them down to the time of his visit to Boston in January, 1847, be true, there was no discovery of a *safe*, *certain*, and *convenient* anæsthetic agent such as the world at large could and would adopt—none that would be useful to the people and to the army and to the navy of the United States, nor was such discovery at all advanced. Nothing more seems to have been done than to satisfy the profession that nitrous oxide gas would not do as an anæsthetic agent, and to prevent further experiments in that quarter. Dr. Wells's thirteen experiments were made among friends, bold, hardy young men, and, of course, each person operated upon would take a share, however small, of the glory. The operation was performed *gratis*, and with "mental preparation;" hence its success. But when a stranger was the subject; when the domestic and social influence were gone, in the great world, in the public hospital, the experiment failed, and its failure opened the eyes of Dr. Wells to the fallacy of his former apparent success, by which he and those with whom he operated upon were alike deceived. They were naturally the dupes

of each other and of themselves, and Dr. Wells, being at last undeceived, immediately did what he could to dispel the illusion. He declared his disappointment and mistake. The gas did not operate as he expected. He quit its use, and he and Dr. Riggs advised their patients against it. While he had faith he entered into an arrangement with Dr. Cooley, of Hartford, to carry on the business in partnership extensively, and Cooley, in speaking of it, says:

"The first intimation I had that Dr. Wells did not intend to carry out our partnership arrangement with me was when he informed me, several weeks after this arrangement was entered into between us, that he had just returned from Boston, where he had made a public experiment, which had proved a failure. He then said to me that he was disappointed in the effects of the gas, and that it would not operate as we had hoped and thought it would, as there was no certainty to be placed upon it, and, consequently, he should abandon it, as he had so much other business to attend to, and as the gas would not operate in all cases alike, and therefore could not be trusted. He advised me to go on with my exhibitions, and thought I could make money out of them, and that, although he had got through with his experiments in the business, he would assist me in any way he could in order that I might succeed in my lectures, and suggested to me to connect with my lectures and administering the gas mesmerism, and the use of a card of questions which he had prepared, so arranged that a correct answer could be given by a person in an adjoining room as to the time of day, &c., by the particular manner in which the question was asked. Feeling some confidence that by following his suggestions I should realize sufficient from the lectures to reimburse me for my time and expenses while in company with him, the matter was then dropped between us, and I pursued my lectures."

Thus warning him to leave off experiments which, if pushed to the point of success, must be dangerous to life, and go on and amuse and humbug the people in a manner that would be pleasant, and by means not at all dangerous, Dr. Wells, in his papers, after the success of sulphuric ether, professes to have discussed and considered its qualities before commencing his experiments, and chosen in its stead the nitrous oxide gas. We have seen that in this he was mistaken. He was led on to his experiments by a course of events in which philosophical induction, analysis, and comparison could not have intervened. Dr. Marcy testifies to the same thing, but his evidence is met by the same stubborn fact.

But it is now said that Dr. Wells did once use the vapor of sulphuric ether, and extracted a tooth from J. Gaylord Wells while under its influence. Dr. Wells does not say so, nor is the assumption consistent with his statements. It rests solely on the testimony of Gaylord Wells, and a special deposition is taken at a late day to establish it. In March, 1847, he testifies as follows:

"HARTFORD, *March* 26, 1847.

"I hereby testify that more than two years prior to this date, on being informed that Horace Wells, dentist, of this city, had made a valuable discovery, by which means he could extract teeth without pain to the patient, which consisted in the use of stimulating gas, or vapor, I inhaled the exhilarating gas, and, under its influence, had six extracted without the least pain. I would further state that for more than eighteen months from the time I first submitted to this operation by the application of gas I heard no other name mentioned as the discoverer except that of the above-named Horace Wells.

"J. GAYLORD WELLS, 184½ *Main street.*"

Six teeth extracted, *all* under the influence of *exhilarating gas*—nothing of sulphuric ether.

F. C. Goodrich was present when Gaylord's teeth were extracted. He testifies in answer to interrogatories:

"Question. Have you any personal knowledge that Dr. Wells ever made use of ether as an anæsthetic agent in any surgical or dental operation?

"Answer. No.

"Question. Have you any personal knowledge that ether was ever used by any person, in any such operation, before the fall of 1846?

"Answer. I have not.

"Question. Have you ever seen Dr. Wells extract any other tooth, under the influence of nitrous oxide, than your own? if yea, who and when?

"Answer. I have; I saw him extract several for J. Gaylord Wells, and one for Wm. H. Burleigh; Wells's were all extracted at one time, soon after mine was extracted, and Burleigh's soon after; I should think within a week after mine was extracted.

"Question. Did you ever know or hear that Dr. Wells extracted any teeth, under the influence of any anæsthetic agent, after his return from Boston, in January, 1845, and before October 1, 1846?

"Ans. I don't know that I did."

Dr. Riggs says that Gaylord Wells was one among the first to whom the gas was administered, (answer to 29th interrogatory.)

Gaylord Wells's deposition was again taken to prove that his teeth were not all drawn at once, but at *several* times, and no more than *two* teeth at a time, and that sulphuric ether was used at one of those times; "*whereupon, finding it disagreeable, he advised his friends not to use it, but continue the gas.*" This witness, and the parties who suffered him thus to testify, could not have looked to his first affidavit before he swore to the second.

In his first he says: "*I inhaled the exhilarating gas, and, under its influence, had six extracted without the least pain.*"

In the last he says that only *five* were with the gas, and *one* with sulphuric ether; *the ether was not given from the bag, "but some different apparatus."*

This witness contradicts himself. He is contradicted by his companion, F. C. Goodrich. He pretends to state an important fact, not hinted at by Dr. Wells in his lifetime, and which is against the whole current of the evidence. In the pamphlet of Dr. Wells, already referred to, he says: "I have *confined* myself to the use of nitrous oxide gas, because I became fully satisfied, *from the first*, that it was less injurious to the system than ether."

He says, however, that *Dr. Marcy tried ether in one surgical operation*, and thereupon advised him by all means to continue the use of the nitrous oxide gas. Dr. Wells says that, after and upon consultation, he determined to continue the use of the gas; but he does not say it was, or after an experiment upon Mr. Gaylord Wells, or that he was of those with whom he advised.

We leave the testimony of this witness to the consideration of the Senate.

On the 17th of February, 1847, Dr. Wells made a publication in Galignani's Messenger, in which, speaking of nitrous oxide, and the vapor of sulphuric ether, he says: "The less atmospheric air admitted into the lungs with any gas or vapor, the better."

It is not to be believed that at this time he had ever administered the vapor of sulphuric ether; that vapor will not support respiration, and a patient could live no longer inhaling it, without a mixture of atmospheric air, than he could live with his head under water. It takes about three minutes to produce the effect of anæsthesia with etheric vapor, which, administered according to Dr. Wells's direction, without atmospheric air, would, in most cases, destroy life. But if it had been true that Dr. Wells used ether with success, it was a matter of no importance, the physicians and surgeons of his own town never knew it: no mark of pen or pencil attested it till long after Dr. Morton's discovery, six years after Gaylord Wells's affidavit gave it to the world. Drs. Wells, Riggs, and Marcy say they consulted about the use of sulphuric ether and condemned it. Drs. Wells and Riggs at once, and Dr. Marcy after a trial. All

rejected it, or abandoned its use on trial. It is immaterial whether Dr. Marcy, in fact, tried it or not; but is he not mistaken in supposing he tried it? No trace of the patient, on whom the experiment was tried, can be found. One hundred dollars reward has been offered, but yet he cannot be found. Dr. Marcy cannot give his name, or any account of him, except that he operated upon him while under the influence of sulphuric ether. He made no cotemporaneous entry, wrote no cotemporaneous letter, which can be vouched to prove this most important experiment; and more than this, Dr. Marcy has not always testified cautiously. The close of his affidavit of December 1, 1849, may be taken as an example; he says:

"I also further declare that I was aware of the fact of Dr. Wells's visit to Boston, in 1844, for the purpose of communicating his discovery to the faculty of that city. I also had an interview with Dr. Wells soon after his return from Boston, when he informed me that he had made known to Dr. C. T. Jackson and Mr. Morton, the anæsthetic properties of the nitrous oxide gas, the ether vapor, and other analogous substances. He also informed me that he had made an imperfect trial with the gas before Dr. Warren's class, but that the experiment was not satisfactory on account of the patient's getting an insufficient quantity of the gas. He further informed me that his discovery and his whole idea respecting anæsthetic agents was ridiculed by Dr. Jackson and other medical men of Boston, but that his former pupil, Morton, swallowed this ridiculous idea greedily and kept it down until 1846, when he ejected it at Washington in the form of a patented compound—mark the word—compound, called Letheon."

Now, it is very certain, even if Dr. Wells were in the habit of using language so coarse and absurd, which does not seem to be the case, that he did not say, on his return home from Boston in the spring of 1845, what Dr. Marcy testifies he then said of Dr. Morton doing in 1846. Suppose it all to be about to happen just so, Dr. Wells could not have known it and denounced it to Dr. Morton a year before it took place.

"It is upon Dr. Marcy principally that the Wells claim seeks to support itself. It must be conceded that he, Marcy, knew from Wells all that Wells knew or suspected. Wells himself, in his publication of 1847, vouches Dr. Marcy as the person with whom he 'advised' and 'discussed the comparative merits of nitrous oxide gas and rectified sulphuric ether.'

"It is important, then, to see, if possible, to what conclusions Wells's experiments and discoveries had brought Dr. Marcy. This gentleman, in his deposition of 1849, (Wells's pamphlets, 1852, p. 31,) declares that, 'in the month of October, 1844,' (which is two months prior to the first notion of Wells on this subject,) he 'witnessed the extraction of a tooth from the person of T. C. Goodrich, esq., of this city, (Hartford,) by Dr. Horace Wells, after nitrous oxide gas had been inhaled, and without the slightest consciousness of pain on the part of the gentleman operated upon. Not only was the extraction accomplished without pain, but the inhalation of the gas was effected without any of those indications of excitement or attempts at muscular exertion which so commonly obtain when the gas is administered without a definite object or previous mental preparation. By this experiment two important, and, to myself, entirely new facts were demonstrated: 1st. That the body could be rendered insensible to pain by the inhalation of a gas or vapor capable of producing certain effects upon the organism; and 2d. When such agents were administered to a sufficient extent, for a definite object, and with a suitable impression being previously produced upon the mind, that no unusual mental excitement, or attempt at physical effort, would follow the inhalation.'

"It is impossible to read Dr. Marcy's statement of these 'two new facts' without being reminded of Cooley's testimony with regard to mesmerism. It is apparent that the second and important fact which Dr. Marcy deduced from the

experiment of Dr. Wells, viz: that the insensibility to pain would be attended by such a condition of the patient as would make it possible to subject him to a surgical operation, hinged upon two independent and fanciful perquisites, viz: that the gas should be 'administered for a definite object,' and that the patient should have 'a suitable impression previously produced upon the mind.'

"Again he says, in an article published in the Journal of Commerce, on the 30th day of December, 1846: 'Another fact in relation to the exhilarating gas, &c., is worthy of notice. Under ordinary circumstances, the person who inhales the gas has no control over himself, but if, previous to his taking the gas, he fixes his mind strongly upon some given purpose, and exercises his will steadily in order to effect and carry out this purpose, he will, in nearly every instance, remain quiet.'"

Wells, in his publication dated Paris, February 17, 1847, Boston Atlas, says:

"Much depends on the state of mind of the patient during the inhalation of gas or vapor. If the individual takes it with a determination to submit to a surgical operation, he has no disposition to exert the muscular system, whereas, under other circumstances, it seems impossible to restrain him from over exertion; he becomes perfectly uncontrollable. It is well to instruct all patients of this fact before the inhalation takes place."

This is sheer charlatanism. A discovery which depends for its efficacy upon the concurrence of two fools, one to administer and the other to be administered upon—leaving everything to the effect of imagination—is only entitled to the attention of such as are fit to be operators or patients under that system; and the number of these, it is hoped, is small.

But how is it possible that these mental pre-occupations of operator and patient should have been adopted by Dr. Marcy as necessary conditions to the success of Dr. Wells's discovery, if that discovery was understood by Marcy at that time, as identical with or equivalent to the discovery made by the undersigned? The latter is purely physical in its operation. It does not differ in this respect from any other fact or theory in the *materia medica*. The former essentially depends upon the imagination; and, fortunately for humanity, must have but a rare and doubtful operation. It is nevertheless a fact, not now to be disputed, that the manipulations of the mesmerizer have reduced patients (and more than the twelve or fifteen claimed by Wells) to the condition which Dr. Marcy proposes in his second specification of 'important and new facts.'

It is not to be wondered at, then, that these gentlemen, Drs. Marcy and Ellsworth, should concur with Wells in the opinion that the operation was uncertain and could not be trusted, and practically abandoned all idea, if such was ever entertained by them, of making it a useful agent in surgery. In fact, it does not appear that either of them performed any operation with its aid until after the discovery by the undersigned; at all events not between that time and the early experiments which we have seen had resulted so as to induce Wells himself to abandon the subject. After the discovery by the undersigned had been fully tested and established, it was easy enough to reason themselves into the belief that it was all embraced in that which they participated in, but which had been without the slightest profit to the world at large, or any practical advance towards this great boon to humanity.

It is true that Dr. Marcy states that he performed an operation with ether soon after Wells's first experiments with the nitrous oxide; but it is by no means clear that such was the fact; and if the fact, it can hardly be doubted that the experiment was a failure. When the idea occurred to Wells, in the face of his letter of October, 1846, to Dr. Morton, to claim that he had made the same, or an equivalent discovery in 1844; and when Drs. Marcy and Ellsworth came to his aid, it is not possible that the fact that ether itself had been used, and that "the operation was entirely unattended with pain," if such a fact existed

should not have instantly occurred to them as most material to his claim, and that the facts and particulars, with clear proof thereof, should not have been instantly produced. Yet there are two publications, by Dr. Marcy himself, defending Wells's claim—one on the 30th December, 1846, and the other on the 8th of January, 1847, both in the Journal of Commerce, in which the material fact, although directly pertinent to the precise purpose of the publications, is not even alluded to. In both of these publications he limits himself to the statement that he, Marcy, had suggested the use of ether to Wells; but that, "upon reflection and more full discussion," he had advised that the exhilarating gas was preferable. On the 27th of March, 1847, (Wells's pamphlet, Hartford, J. Gaylard Wells, 1847, p. 20,) he makes his third publication, (p. 132,) and verifies the same by affidavit, wherein, after reiterating that ether had been discussed, and that he had advised against its use. he, for the first time, states the following fact: "I also take this occasion to assert from my positive knowledge that the ether vapor was administered very soon after this period, (and prior to 1845,) for the performance of a surgical operation."

This is all he says of it. He does not intimate that he performed the operation; but, on the contrary, states that he had steadily advised against its use. Nor does he state what the operation was, nor what success attended it. It was reserved for his fourth statement, made five years after the operation, (1849,) to disclose the fact that he himself performed the operation upon "the young man above alluded to," and that it was the cutting "from his head an encysted tumor about the size of an English walnut, and that the operation was entirely unattended with pain; and demonstrated to Dr. Wells and myself, in the most conclusive manner, the anæsthetic properties of ether vapor." Still, there is nothing stated to enable any information to be obtained touching this important operation beyond what Dr. Marcy himself chooses to communicate. Wells thus refers to it: "Let it be observed, however, that at this time, (November, 1844,) while we had the subject under consideration, a surgical operation was performed at Dr. Marcy's office under the influence of sulphuric ether, as is proved by affidavit. The doctor then advised me by all means to continue the use of nitrous oxide gas." And yet, in 1849, it is pretended that the operation was entirely successful, and ought therefore to have led, "by all means," to the contrary advice! Testimony like this cannot be expected to produce conviction.

As to the alleged operation no one has ever been able to hear of it, except through Dr. Marcy. Anxious to prove the matter, Dr. Morton offered a reward of one hundred dollars, in Hartford, to any one who could tell the name of the patient, or give him any means to find him. On this point, he refers to the statement of Mr. Cornwall, his counsel there. The failure to produce, indicate, or in any degree describe "the young man," under these circumstances, is entirely consistent with any view of Dr. Marcy's evidence.

The facts connected with Wells's own conduct and publications in this matter are worthy of attention in this connexion.

After his remarkable letter of October, 1846, and when the discovery of Dr. Morton's had assumed its full magnitude and importance, Wells first appears as a claimant before the public on the 7th of December, 1846, in the Hartford Courant, two years after his pretended discovery, and limits his pretensions to having had a tooth drawn himself, and afterwards having performed similar operations for "twelve or fifteen" others under the influence of nitrous oxide. No allusion is made to any experiment with ether, or to any subsequent use of nitrous oxide; but his whole career is there summed up with his failure at Boston, in 1845. His letter to Dr. Morton, of October, 1846, shows his appreciation of the advantages that would belong to the discoverer. He says: "If the operation of administering the gas is not attended with too much trouble, and will produce the effect you state, it will undoubtedly be a fortune to you, provided it is rightly managed." After publishing his letter of the 7th of December, he proceeds to

Europe upon a speculation in pictures. Arriving in Paris, he finds the whole scientific world agitated with this subject. He makes no claims. It is not till after Dr. Brewster, of Paris, reads the publication by Marcy and Ellsworth, taken from the Journal of Commerce, and sends to him, Wells, "begging him to call on him (Brewster) and tell him if he is the true man," that he is stimulated to make the publication in Galignani's Messenger, which is copied in the Boston Atlas.—(Letter of Brewster dated 24th of March, 1847.) In this publication, his experiments, theretofore stated to have been with nitrous oxide alone, are claimed to have been with ether also. He is entirely unprepared with any proof. Dr. Brewster, to the New York Journal of Commerce, says: "Imagine to yourselves, Messrs. Editors, a man to have made this more than brilliant discovery and visiting Europe without bringing with him his proof." Again, Brewster (letter to Morton, dated 21st of March, 1847,) says: "Dr. Wells's visit to Europe had no connexion with this discovery; and it was only after I had seen the letter of Drs. Ellsworth and Marcy that I prevailed upon him to present his claims to the Academy of Sciences," &c.

He sailed for Europe upon his picture speculations in December—is in Paris engaged in that business until Brewster, acting on the faith of Marcy's and Ellsworth's publication, urges him to put forth his claim. He then publishes it at Paris.

The publications and affidavits of Ellsworth, Marcy, and Riggs, have, on every successive occasion, expanded themselves greatly.

Equally remarkable and inconsistant with fact is the following preface in the publication made at Paris: "The less atmospheric air is admitted into the lungs with any gas or vapor, the better—the more satisfactory will be the result of the operation."

When it is known that the administration of ether in sufficient quantity to produce total insensibility without atmospheric air occasions certain death, what credit is it possible to give to the assertion of fact made in this publication by Wells, for the first time, that he had used the ether at all, or knew anything of its properties in this respect.

The testimony of the physicians and surgeons of Hartford and its neighborhood, examined by the United States commissioner under the proceeding before referred to, sufficiently shows that even within that limited district the alleged discovery of Wells was not practically regarded as of any value. This is consistent with the judgment which Wells himself pronounced on it after his return from Boston; but is wholly inconsistent with the face now put on it by Drs. Marcy and Ellsworth, the only two who go beyond mere rumor and hearsay.

But if Dr. Marcy did make use of the vapor of sulphuric ether as an anæsthetic agent in the removal of a tumor, the fact was of no value to mankind. He did not make it public. The profession at large knew nothing of it; and to those to whom he made known the fact, he depreciated and discouraged its use. What he did and said would induce no one to push his discoveries in that direction, but rather tend to discourage it and direct their experiments to nitrous oxide. Such, Dr. Wells says, was his advice to him.

Dr. Ellsworth used it in surgery in two cases after the contest with sulphuric ether waxed hot. He cannot fix the date of the first case, but Dr. Cooley, who administered the gas, being interrogated thus:

"You go on to say that you administered nitrous oxide gas to several individuals who underwent severe surgical operations without pain. Was not all these subsequent to the discovery of the anæsthetic properties of ether in 1846?

"Answer. (In a letter to Dr. Morton.) I did not exhibit the nitrous oxide for the purpose of producing insensibility to pain until subsequent to the alleged discovery of the anæsthetic properties of ether by you in 1846."

The amputation of the thigh of the boy Goodale was January 1, 1848, while

the contest between gas and ether was at its hottest. Dr. Ellsworth says it was without pain. The boy says it was very painful; but it is not important whether it was or was not painful. If the boy had been made dumb or stupefied with opium he would have felt no pain from the operation. If he had been fully stupefied by the gas he would not have felt pain; but it is probable that neither of these carried to that extent would have been safe or salutary.

The only place where there was ever any contest between gas and ether was in Hartford, by Dr. Wells and his friends.

The use of the nitrous oxide as an anæsthetic agent was never established even in the flourishing city of Hartford; and never, as far as we know, obtained any credit beyond it. In the month of December, 1844, it obtained currency in the city of Hartford for a day; but the disappointment of Dr. Wells on his exhibition in Boston, and his consequent abandonment of its use, put an end to its short-lived reputation, and on the attempt to revive it in 1846–'47 it had another short run and again sunk into disrepute.

Within the period of its short revival Dr. Beresford, of Hartford, used it once, removing a tumor from a lady under its influence:

"Question. Have you ever, in your practice, made use of nitrous oxide gas as an anæsthetic agent; if yea, when first, and who was the patient operated upon?

"Answer. Yes. I operated in this city, January 4, 1848, on Mrs. Charles Gabriel, removing, from the neighborhood of her shoulder, a tumor while under its influence.

"Question. Have you ever made use of nitrous oxide in any surgical operation since?

"Answer. No, sir."

The following are extracts from his examination:

"Question. Was not the above operation as successful and satisfactory as any you have ever performed with any other anæsthetic agent?

"Answer. It was quite as successful as any, so far as destroying sensibility was concerned.

"Question. You say the operation you have spoken of was quite as successful as any you ever performed, so far as destroying sensibility was concerned. In what was the operation not as successful?

"Answer. The patient was very faint and depressed for about half an hour after recovering her perception.

"Question. Was not the administration of the gas in this case attended with asphyxia?

"Answer. I think not.

"Question. What was the appearance of the face of the patient?

"Answer. At this distance of time I cannot remember, to speak with precision.

"Question. Have you any idea that Dr. Wells ever perfected and brought into general use nitrous oxide gas as an anæsthetic agent in surgical operations?

"Answer. No, sir; I do not think he did.

"Question. Is nitrous oxide, in your judgment, a valuable anæsthetic agent in dental and surgical operations?

"Answer. I have never used it but in the case above alluded to, and give a decided preference to chloroform in surgical operations."

Dr. Crane, of Hartford, says:

"Answer. I once administered it to Dr. Warner. He brought a bag, which he said, and which I supposed, contained nitrous oxide, from Dr. Wells's office, and under its influence I extracted a number of his teeth. I think four.

"Question. When was this?

"Answer. I think in March, 1845.

"Question. In your judgment is nitrous oxide gas a valuable and efficient anæsthetic agent in dental operations?

"Answer. I should say no."

Dr. J. M. Greenleaf, of Hartford, says:

"Question. Have you ever made use of nitrous oxide gas in your dental business to prevent pain in extracting teeth?

"Answer. No, sir.

"Question. Have you ever seen it administered; and if so, by whom and where?

"Answer. I saw it administered once, by Dr. S. A. Cooley, which produced vomiting. This was at my office.

"Question. Was the experiment entirely unsuccessful?

"Answer. Yes."

Dr. Cynel Bullock, surgeon dentist, of Hartford, says:

"Question. Have you ever, in your practice, made use of nitrous oxide gas as an anæsthetic agent; if yea, when first, and who was the patient operated upon?

"Answer. Yes; I operated in this city, January 4, 1848, on Mrs. Charles Gabriel, removing, from the neighborhood of her shoulder, a tumor, while under its influence.

"Question. Have you ever made use of nitrous oxide in any surgical operation since?

"Answer. No, sir.

"Answer. I have, about the year 1846 or 1847, at the house of Mr. P. Holt, in this city, by S. A. Cooley. It was not successful. It was administered that I might extract some teeth, but it did not produce insensibility, and I did not extract the teeth.

"Question. What was the effect produced on the patient?

"Answer. She appeared wild and restless."

It is the opinion of your committee, from all this evidence, that nitrous oxide was not used by the profession generally in the city of Hartford, or approved by them at any time as an anæsthetic agent.

J. Mason Warren, physician and surgeon, being sworn, said:

"I have never seen nitrous oxide used but once as an anæsthetic agent; it was an experiment in 1848. My belief is that it is not to be compared in its effects with sulphuric ether."

Geo. Hayward, physician and surgeon, being sworn, said:

"In my opinion, the use of nitrous oxide gas is not altogether safe, and it is by no means efficient or convenient. I never saw it attempted to be used but once, and then with only partial success. The effects produced by its inhalation are very uncertain, and very different in different subjects, and therefore it cannot be relied upon for the purposes of surgeons."

Henry J. Bigelow, physician and surgeon, being sworn, said:

"The nitrous oxide is usually administered from a bag, under the name of exhilarating gas. I should think it altogether inadequate to produce either a certain insensibility, or one that was available for surgical purposes, except by inducing asphyxia, which is dangerous, and which is no part of true anæsthesia. It is a gas, and must be inhaled by means of an orifice in the vessel which contains it. The difficulty in the way of success, when it is inhaled from the usual bag, is that the supply of oxygen which it contains is soon exhausted, while the bag becomes filled with the noxious exhalations of the lungs. In

breathing ether, a fresh supply of vapor, well mixed with atmospheric air, is taken into the lungs at every breath, while what is breathed out of the lungs escapes into the apartment as waste. Nitrous oxyde is not of much value as an anæsthetic agent. An obvious and insuperable objection to it is its bulk and the difficulty of its transportation. Even if it were compact, I know of no evidence that it is an efficient agent. It is not anywhere used at the hospitals, or elsewhee, in surgical operations, nor in obstetric cases, to my knowledge."

Dr. Marcy, with whom Dr. Wells counselled much, and who operated in and reported the operation on the scirrous testicle above referred to, under the influence of the nitrous oxide, and certifies to the success of the operation, entertained the same opinion with Doctors Wells and Riggs. He did not believe that nitrous oxide was at the same time safe and efficacious as an anæsthetic agent. In an article published in the Journal of Commerce, December 30, 1846, when the medical world was active with Dr. Morton's discovery, he says:

"My own opinion in regard to the use of the nitrous oxide gas, the sulphuric ether, or any other stimulant which acts upon the system in such a manner as to render the body insensible to external impressions, is, that it is decidedly unsafe, and that in no given case can we be certain that it will not cause congestion of the brain or lungs. I have known the use of both the first named articles to give rise to temporary congestion of the brain and insanity."

From all this it is evident that nitrous oxide has never been, and is not now, approved by the profession generally. In the second short period of its existence Dr. Wells attempted to introduce nitrous oxide gas into the New York hospital, the failure of which is detailed in the following letter:

"NEW YORK, *October* 1, 1858.

"I recollect distinctly having been present in the operating theatre of the New York hospital, in 1847, to witness an operation by the late Dr. John Kearny Rogers. Dr. Horace Wells was present and administered nitrous oxide gas to the patient, with the object of producing insensibility to the pain of the operation, but the attempt was unsuccessful, as the patient seemed to suffer about as much pain as might have been anticipated under ordinary circumstances. A large number of surgeons and physicians were present, among whom was Dr. Valentine Mott, and other prominent members of the profession.

"As the supply of the supposed anæsthetic agent was apparently ample, judging from the large size of the bags containing it, and its administration conducted fairly and fully, the general impression upon the spectators seemed to me to be decidedly unfavorable as to its power of producing insensibility to pain.

"WM. H. VAN BUREN, M. D."

Dr. James R. Chilton, an eminent chemist of New York city, who was present, and prepared the nitrous oxide for the experiment, says the application was not successful, "the patient screaming out under the operation." The French Academy of Science, on rejecting these claims, remarked that the nitrous oxide was dangerous and improper, and did not produce the effects alleged by Horace Wells.

Drs. Mott, Francis, and Parker, eminent surgeons of New York city, were led to believe, by ex parte statements, that Dr. Wells was the first discoverer of a safe and available anæsthetic agent, in the month of December, 1852, made affidavit to their belief, but on full information they changed their opinion, and gave the public to know the fact by the following card:

"The undersigned, fearing that the public may be misled by the republication at this time of certain affidavits made by them in the month of December, 1852, in which we severally asserted our belief that Horace Wells, of Hartford,

Connecticut, was the original discoverer of the anæsthetic principle as applied to the removal of pain in surgical operations; which affidavits were made by us at the solicitation, and in consequence of the representations of the Hon. Truman Smith, then United States senator from Connecticut, we feel it to be our duty to state that *a subsequent and careful examination of the facts in the history of the discovery of anæsthesia have led us to a different conclusion.*

"The undersigned coincide in the belief that the first great triumph of placing in the hands of the profession an agent capable of rendering the patient, safely and at will, utterly insensible to the stroke of the surgeon's knife, was in detecting and establishing by experiment the anæsthetic powers of sulphuric ether. For this discovery the world is indebted to Dr. Wm. T. G. Morton, of Boston. Whatever may have been the steps preliminary to this remarkable discovery, Dr. Morton's claim to it is established beyond all controversy, and his merit in this respect, with those who have taken the trouble to inform themselves on the subject, can be no longer a question of dispute. Holding this opinion, they have signed the 'appeal of members of the medical profession,' in this city and Boston, to establish a national testimonial, by voluntary subscription, for the benefit of Dr. Wm. T. G. Morton, and have united in recommending his claims for remuneration to the consideration of their fellow-citizens, and of soliciting their subscriptions in behalf of the fund.

"VALENTINE MOTT, M. D.
"WILLARD PARKER, M. D."

"NEW YORK, *December* 17, 1858.

"I hereby set forth that my concurrence in the recommendation of Dr. Morton's claims for public remuneration was grounded on the *conclusive* evidence that through his experiments, perseverance, and energy it was made manifest that sulphuric ether might be used as an effective anæsthetic agent in surgical operations. To Dr. Morton's early devotion I believe the world is indebted for the important knowledge we possess on this subject so interesting to humanity.

"JOHN W. FRANCIS, M. D."

It failed in the New York hospitals. It has never been adopted in any of our public institutions, nor in the army or the navy of the United States, and it is not at all known that it could or can be used with safety. Its strongest advocates would hardly now risk their reputation by using it in a capital case, if indeed it were possible to find a subject who would submit to an operation under its influence, or a surgeon who would be willing to administer it.

So desirous was Dr. Morton of showing this fact, that on one occasion, when the subject was before a congressional committee, and his claim was opposed, and the virtues of ether condemned, he submitted to that body the following fair and impartial proposition:

"NATIONAL HOTEL,
"*Washington, January* 18, 1853.

"DEAR SIR: The subject of the discovery of anæsthesia being now before a committee of which you are chairman, I beg leave to submit to you, and through you to a committee, a proposition.

"One of those who contest my right to the discovery does so on the ground that anæsthesia had been discovered by Dr. Wells prior to my alleged discovery; and that the anæsthetic agent used in the discovery by Dr. Wells was nitrous oxide gas. Now, if anæsthesia, for surgical purposes, was ever discovered through nitrous oxide gas as the agent, that agent, for the same purposes, will still manifest its efficiency. I deny that such a discovery, by means of said agent, ever was made, or that said agent possesses available anæsthetic proper-

ties alone for surgical operations. At the same time I assert and claim that anæsthesia was first discovered by me through the agency of sulphuric ether. Therefore, to prove that nitrous oxide never was discovered to be an available anæsthetic agent in surgical operations, and that it is not such now, and to prove also that sulphuric ether was discovered to be an available anæsthetic agent for such purposes, and is so now, I propose that an actual demonstration shall be made before the committee of the two agents, in such surgical operation or operations as are considered fair tests by scientific men, at such time as the committee may direct, and patients obtained.

"Yours, very truly,

"W. T. G. MORTON, M. D.

"Hon. J. P. WALKER, *Chairman, &c.*"

This offer was accepted by the committee, who selected a prominent surgeon to conduct the demonstration. Apprehensive that it might be said that the nitrous oxide gas could not be procured, Dr. Morton caused it to be manufactured by Dr. Kidwell, (a competent chemist recommended by a professor of Columbia College;) and further, to satisfy the surgeon of its purity, he administered it to several persons on the evening of January 27th, in his presence and that of several senators.

The demonstration came off on the 28th, at the Washington Infirmary, where Dr. Morton had a patient and the nitrous oxide gas in readiness. The surgeon was urged by the chairman of the committee to use the nitrous oxide. He refused peremptorily. He had also been requested to do so by Mr. Truman Smith, the member of Congress who supported the claim for the heirs of Dr. Wells, and had refused. Dr. Morton then proceeded, in presence of the committee, and of surgeons of the army and navy, and of the medical class, to administer ether. Complete etherization was produced, which continued through a dangerous and protracted surgical operation, lasting about three quarters of an hour.

And yet it has all the virtues now which it ever had, and the success which attended operations under its influence in Hartford, in 1844 and in 1847, if they were real, and not dependant on circumstances, would also attend them now in any of our public hospitals. The etheric vapors, administered by the hand of Dr. Morton at Fredericksburg to the wounded fresh from the battle field, proved successful in more than one hundred cases, and failed not in one. Your commitee do not think that the attempt of Dr. Wells to find a useful and practicable anæsthetic agent in nitrous oxide gas, and his failure in that attempt, entitle him to public honor or reward, or that it detracts at all from the merits of the man who did, in fact, find and give to his country and the world a *safe, certain*, and convenient anæsthetic agent.

C.

CLAIMS OF CONTESTANTS.—A SUGGESTION.

Dr. Charles T. Jackson also claims the merit of the discovery. On the 23d day of February, 1849, Dr. W. T. G. Morton presented to Congress a memorial asking compensation for the discovery of anæsthetic or pain-subduing properties of etheric vapors, and on notice being given to Dr. Jackson by the chairman of the committee to which the memorial was referred:

To the Senate and House of Representatives of the United States in Congress assembled:

The undersigned begs leave to represent that, whereas a memorial has been presented to the Congress of the United States by William Thomas Green

Morton, of the city of Boston, in the State of Massachusetts, representing that in the year of our Lord one thousand eight hundred and forty-six, he, the said Morton, made, in the city of Boston aforesaid, a discovery by which the human body is rendered insensible to pain during surgical operations, and during other serious and violent affections, by means of the vapor of sulphuric ether inhaled into the lungs—praying, also, for a national renumeration or reward for making the said discovery, and for its practical application; and whereas the said discovery was made by the undersigned, without the knowledge of the said Morton, and without the co-operation or assistance of any person whomsoever, and was communicated by the undersigned to various persons, from the spring and autumn of eighteen hundred and forty-two to the thirtieth day of September, eighteen hundred and forty-six inclusive, and on the said thirtieth day of September was also communicated by the undersigned to the said Morton, he, the said Morton, being, previous to the said communication of the discovery to him, wholly ignorant of the anæsthetic properties and effects of sulphuric ether aforesaid; and whereas the undersigned did, also, on the thirtieth day of September, eighteen hundred and forty six, devise and commit to the said Morton the performance of an experiment for the verification of the said discovery, so far as the extracting of teeth is concerned; and whereas the said Morton, acting in strict conformity with the instructions, and upon the exclusive and express assumed responsibility of the undersigned, did, to the extent of a painless extraction of a tooth, successfully verify the said discovery; and whereas undersigned did, shortly afterwards, cause the discovery to be further verified by the surgeons of the Massachusetts General Hospital, in the first painless capital operation ever performed under the influence of the ether vapor; and whereas the signature of the undersigned to certain letters patent, taken out in the names of the undersigned and of the said Morton, declaring the discovery their joint invention, was obtained through the representation of Robert Eddy, esq., of said Boston, the solicitor by whom the said letters patent procured, and copartner with the said Morton in the profits thereof, that undersigned "might lose all his credit as a discoverer," if he did not consent to become a party to the said letters patent; and whereas the undersigned being instructed by eminent legal counsel that the said Morton had not made himself in any sense a joint discoverer, by reason of the painless extraction such as aforesaid, and that he had not thereby acquired any right either to an exclusive patent or to a participation with the undersigned in any patent for the said discovery, did publicly repudiate all connexion with the said patent, and did refuse any part of the proceeds arising from the sale of under the same, and did, as he originally intended, give the discovery to the world to the full extent of his interest, evidence of all which is submitted. The undersigned does, therefore, earnestly remonstrate against the renewal of the said Morton and prays that his petition may not be and that there may not be, on the part of the Congress of the United any recognition whatever of his claims to the said discovery.

CHARLES T. JA

WASHINGTON, D. C., January 22, 1849.

This claim has been three times examined and as often rejected by several committees of Congress. Your committee will, however, [illegible] examine the evidence as collated and [illegible] as presented to the several committees [illegible], as they [illegible] and more explicit. The arrangement of the evidence alre[illegible] [illegible] necessarily involves some repetition [illegible] as brief as possible to be, at the same t[illegible] [illegible] as is essential to the support of his clai[illegible] [illegible] 1846, Dr. Morton knew nothing of sul[illegible]

appearance, its qualities, its effects, and that he had never seen it until on that day, when he showed it to him and directed him how and for what purposes to use it. Indeed, that he lacked the knowledge common to his profession, and in administering the ether he could only have acted in obedience to others.

This allegation your committee will now consider. Prior to the date of this discovery, Dr. Morton attended the lectures of the Massachusetts Medical College and the clinical instructions of the general hospital, and subsequently obtained his medical degree at the Washington University, Maryland. On the 20th of March, 1844, Dr. Morton, then a practicing dentist, entered his name with Dr. Jackson as a student in medicine, who gives him a certificate sufciently commendatory. It is as follows:

To the secretary of the executive committee of the American Society of Dental Surgeons:

Mr. W. T. G. Morton, dentist, entered his name with me as a student of medicine March 20, 1844, and attended to practical anatomy in the Massachusetts Medical College during the winter of that year, where he dissected with diligence and zeal, and paid special attention to the anatomy of the head and throat—parts of human anatomy particularly important to the surgeon dentist. He also studied Bell's and other standard works on anatomy, and attended the lectures of Drs. Warren, Hayward, and other professors. I would recommend him as a suitable person for admission as a dental surgeon. He is a skilful operator in dentistry, both in surgical and mechanical departments, and has studied the chemical properties of the ingredients required for the manufacture of artificial teeth.

CHARLES T. JACKSON, M. D.

Prior to this time, Dr. Jackson had, as he states, recommended chloric ether as an external application to allay pain in the teeth and gums, and had furnished several dentists in Boston, his friends, with the article in its purity; he does not name Dr. Morton among the number, but from the relations which subsisted between them, from the fact that Dr. Morton was at that time the family dentist of Dr. Jackson, as well as his student in medicine, your committee think the statement of Dr. Morton, in this particular, supported by that of Dr. Jackson. Add to this the fact, well known at the time to college students, and especially to students of chemistry and medicine, that the vapor of sulphuric ether, inhaled for a short time, allayed pain, and we have the circumstances which would naturally direct the mind of the inquirer to that substance as one whose inhalation would be probably safe, and which would render the patient insensible during a short but painful operation. As additional proof of the direction of Dr. Morton's studies, and that he had the means in his power of knowing all that was known of this agent, then familiarly used as a nepenthe, your committee are referred to a bill of books purchased by Dr. Morton of B. B. Mussey, of Boston, on the 3d of May, 1845. Among them is Pereria's Materia Medica, which contains the following sentence: "The vapor of ether is inhaled in spasmodic asthma, chronic catarrh, dyspepsia, and whooping cough, and to *relieve the effects caused by the accidental inhalation of chloric gas.*" Its intoxicating or stupifying effects were, as we have already said, well known to students and scientific men.

This, taken in connexion with the conversation with Theodore Metcalf, a celebrated chemist of Boston, as early as May, 1846, just before he sailed for Europe, in which he gave Dr. Morton all the then current knowledge on the subject of the inhalation of the vapor of ether, and, among things, gave him an account of administering it to a student, who hurt himself while under its influence, and knew nothing of the injury until it was pointed out to him

afterwards, (see page 13;) and the testimony of Granville G. Hayden and Francis Whitman, (pp. 15, 16,) places the fact of his previous knowledge beyond doubt.

Your committee are satisfied from the statement of Dr. Morton, and from the evidence by which it is thus far fully corroborated, that prior to and on the 30th of September, 1846, he was occupied with the conviction that an anæsthetic agent might be discovered which would remove all insensibility to pain in patients submitted to the operations of the dentist; that sulphuric ether was the agent; and that perfect success required only full assurance of its safety, ether of a good quality, and the proper mode of administering it; that he sought assurance of these by consulting books to which he had access, and learned men from whom he could obtain the current knowledge and experience of the day.

On the 30th of September, 1846, as he declares, he called on Dr. Jackson with a view of obtaining such information as would, if possible, remove the difficulties which he had encountered, and, at the same time, with a determination to conceal from him the object of his long and earnest pursuit, lest his hint should be taken and he be anticipated in his discovery. There were four persons present at this interview, and each gives an account different from the rest as to what occurred at it. All, however, agree in one particular, namely, that Dr. Morton assumed total ignorance of sulphuric ether, its nature and qualities, and left the impression on the minds of those present that he knew nothing of it. That he did at that time, in fact, know much of sulphuric ether; that it had for many months preceding been the subject of his earnest thought and sedulous inquiry; that his mind was so much possessed with it that he feared, in every one with whom he conversed, a rival who might anticipate him in his discovery and developments of its quality, is proved to the entire satisfaction of your committee. A former committee of this House, to whose able report we shall often have occasion to refer, speaking of the disguise thus practiced by Dr. Morton, says:

"This does not militate against the general effect of the statement of Dr. Morton. He went, as he says, to Dr. Jackson to obtain certain information; but at the same time anxious to conceal from him the object of his pursuit, being fearful lest Dr. Jackson might anticipate him in bringing the discovery to perfection. We deal with this matter as a question of fact, not of morals, and do not decide whether Dr. Morton might consistently, with the obligation which truth imposes, use artificial means to conceal a mental conception which he did not wish to divulge.

"We believe, however, where a person has a right to his secret, and is under no obligations to disclose it, a direct denial of that which was the fact, for the purpose of such concealment, has not been visited with strong moral censure. We would instance the case of Walter Scott at the table of George IV, who, when toasted by his Majesty as the author of Waverly, declared he was not the author."

Your committee concur in the opinion that, if any moral censure is to be visited upon Dr. Morton for a studied concealment of his possession of what he deemed to be a treasure above all price, and for the safety of which he so much feared, that censure must be slight indeed. His account of the interview will be found in his memoir to the Academy of Arts and Sciences at Paris, set out in the report of 1852.

Dr. Jackson, who first publicly made claim to the discovery after its immense importance was established by several safe and painless operations under its influence in the medical hospital, avers that he first disclosed to Dr. Morton the use of the vapor of pure sulphuric ether on the 30th of September; that he then communicated to him his prior discovery of its anæsthetic qualities, and assured him that it would prevent all pain in a surgical operation, and that it could be used with perfect safety; in short, that he, Dr. Jackson, then employed Dr.

Morton as his agent, operator, or "*nurse*," to administer this pain-destroying vapor; and that then, in the presence of two witnesses, he distinctly took upon himself all the responsibility of its administration.

One of the witnesses present, George O. Barnes, sustains Dr. Jackson's statement in two material points, namely, that when he advised the administration of sulphuric ether, he averred that it would render the operation painless, and that it was safe, and he would be responsible for its consequences.

The other witness, James McIntire, though evidently testifying with a strong opinion against Dr. Morton, does not support Dr. Jackson on either of these important points. He says, Dr. Jackson advised the use of sulphuric ether; said it was safe, and that it "would make the patients insensible, and" the operator "could do what he had a mind to with them." But he states no assumption of responsibility, and no opinion or assurance of Dr. Jackson, that the vapor of sulphuric ether would render the patient so insensible as not to perceive pain. The evidence of these witnesses will be more particularly considered in another connexion. Suffice it for the present to say that your committee are satisfied that Dr. Jackson did not, on that day, "*expressly*" assume any such responsibility. They cannot credit it, for it is proved by evidence, and was admitted in the argument by Dr. Jackson's counsel before the committee of 1849, that the morning after the successful operation of September 30, when the same was reported to him, he refused to certify *in writing* for Dr. Morton that the vapor might be inhaled with safety. Dr. Jackson could not, as an honorable man, have taken the responsibility *orally* of the exhibition of a medical prescription, claimed as his own, and exhibited by an agent or operator under his instruction; and forthwith, thereafter, have refused to assume the same responsibility *in writing*. And, indeed, it is usual for physicians to give their prescriptions in writing, not orally. Nor do your committee believe that Dr. Jackson on that occasion declared that the inhalation of the vapor of sulphuric ether, within safe and proper limits, would render the operation painless. If he had advanced such an opinion, it could not have failed to be noticed and remembered by his student, Mr. McIntire, for it would have been the first notice to him of a miracle in surgery. But Dr. Jackson's conversation with Mr. Caleb Eddy, on the 23d of October, 1846, and with the Hon. Edward Warren, is, in the opinion of your committee, conclusive upon this subject. On the evening of that day Dr. Jackson visited Mr. Eddy, and gave an account of the conversation between him and Dr. Morton, of September 30, which the witness having detailed, says: "After Dr. Jackson had related the above, I said to him, 'Dr. Jackson, did you know at such time, that after a person had inhaled ether, and was asleep, his flesh could be cut with a knife without experiencing any pain?' He replied, 'No, nor Morton either; he is a reckless man for using it as he has; the chance is, he will kill somebody yet.'" And the Hon. E. Warren, in his letter, says: "Dr. Jackson told me, in substance, that the so-called discovery was not his, but that Dr. Morton was responsible for it; that the new use of ether was dangerous, and would, he feared, be attended with fatal consequences; that he (Dr. Jackson) was not answerable for the results, and that, therefore, he would refer me to Dr. Morton for further information."

We cannot better express our views as to the interview of 30th September, and the exact value of the evidence which relates to it, than by quoting from the report of the former committee of this House, to which we have already referred. After a close and careful examination of the statements, and evidence in reference to this interview, they say:

"The evidence, then, amounts to this: Dr. Morton came into Dr. Jackson's office, having in his hand a gas bag, with which he proposed to operate on the imagination of a refractory patient by administering to her atmospheric air. Dr. Jackson ridiculed the idea. Nitrous oxide was spoken of; Dr. Jackson objected to that, saying to Dr. Morton that if he attempted to make it, it would

become nitric oxide. He then suggested sulphuric ether, and said it would make the patient insensible, and Morton could do what he pleased with her. This conversation, it will be noted, all took place about a refractory patient; the object considered was the mode of bringing a nervous patient to a condition in which she could be operated upon, not in which she would feel no pain from the operation. Mr. McIntire says not one word about pain or its absence in the operation, but that the operator could do what he pleased with the patient under the influence of sulphuric ether. If this conclusion be correct, the information given by Dr. Jackson to Dr. Morton was no more than the current knowledge of the age—no more than he would have been told by any scientific man, or than he would have read in books which treat of chemistry and medicine; and if it differed in anything from the general opinion of scientific men, it was in a stronger than ordinary assurance that the vapor was not injurious to health."

The first public appearance of Dr. Jackson at the hospital during the performance of an operation under the influence of the newly-discovered anæsthetic agent is shown in the following extract from a letter of Dr. S. D. Townsend, one of the surgeons of the hospital, dated January 29, 1852:

"Dr. Jackson presented himself for the first time on the 2d of January, 1847, and brought with him a bag of oxygen gas as an antidote to asphyxia. I have had this date always fixed in my mind by the fact that I performed an amputation on that day under the influence of ether, and this is also confirmed by the records of the hospital" *

Dr. Jackson, in a letter addressed by him to Baron Von Humboldt, dated November 22, 1851, a copy of which he filed with this committee (1852) in support of his claim to the discovery, after giving an account of the habitual use of the vapor of sulphuric ether for the purposes and in the manner which we have shown to have been familiar with the medical faculty since about the year 1795, states the facts, and details the circumstances which he alleges to have attended its inhalation by himself in the winter of 1841–'42, and gives at length what he says were his deductions from the phenomena consequent on that inhalation. He says:

"The circumstances were as follows: In the winter of 1841–'42 I was employed to give a few lectures before the Mechanics' Charitable Association in Boston, and in my last lecture, which I think was in the month of February, I had occasion to show a number of experiments in illustration of the theory of volcanic eruptions, and for my experiments I prepared a large quantity of chlorine gas, collecting it in gallon glass jars over boiling water. Just as one of these large jars was filled with pure chlorine it overturned and broke, and in my en-

* This was after the ether was shown by a number of experiments to be entirely safe, and that no antidote other than atmospheric air was necessary. Dr. Townsend, testifying in 1853, says:

"The first time I ever saw Dr. Jackson at the hospital at an operation, after the introduction of the use of ether there, was the second of January, 1847. On that day I amputated the leg of a female. Dr. Jackson then appeared in the operating room with a bag containing oxygen gas under his arm. He stated to me there that we should always have oxygen gas prepared and ready in case of accident in the employment of ether, and he feared that some accident would take place in the use of it. I am positive as to this day and this occurrence from examining the records of the hospital, and from my own private record of operations.

"17th. Was or not this interview of January 2, 1847, the first time you had seen him in connexion with the use of ether?

"Answer. Yes, it was; and I had been present at all the operations from the commencement to that time.

"18th. What was done with the oxygen? Of what use was it?

"Answer. No use was made of it. I never knew it to be used. It would supply that portion of the atmospheric air which is wanting in cases of asphyxia, still I never knew it to be used."

leavors to save the vessel I accidentally got my lungs full of chlorine gas, which nearly suffocated me, so that my life was in imminent danger. I immediately had ether and ammonia brought to me, and alternately inhaled them with great relief. The next morning my throat was severely inflamed and very painful, and I perceived a distinct flavor of chlorine in my breath and my lungs were still much oppressed. I determined, therefore, to make a thorough trial of the ether vapor, and for that purpose went into my laboratory, which adjoins my house in Somerset street, and made the experiment from which the discovery of anæsthesia was induced. I had a large supply of perfectly pure washed sulphuric ether, which was prepared in the laboratory of my friend Mr. John H. Blake, of Boston. I took a bottle of that ether and a folded towel, and seating myself in a rocking chair, and placing my feet in another chair, so as to secure a fixed position, I reclined backward in the one in which I was seated. Soaking the towel in the ether, I placed it over my nose and mouth, so as to inhale the ether mixed with the air, and began to inhale the vapor deeply into my lungs. At first the ether made me cough, but soon that irritability ceased, and I noticed a sense of coolness, followed by warmth, fullness of the head and chest, with giddiness and exhilaration; numbness of the feet and legs followed, a swimming or floating sensation, as if afloat in the air. This was accompanied with entire loss of feeling, even of contact with my chair in which I was seated. I noticed that all pain had ceased in my throat, and the sensations which I had were of the most agreeable kind. Much pleased and excited, I continued the inhalation of the ether vapor and soon fell into a dreamy state, and then became unconscious of all surrounding things. I know not how long I remained in that state, but suppose that it could not be less than a quarter of an hour, judging from the degree of dryness of the cloth which, during the state of unconsciousness, had fallen from my mouth and nose and lay upon my breast. As I became conscious I observed still there was no feeling of pain in my throat, and my limbs were still deeply benumbed, as if the nerves of sensation were paralyzed. A strange thrilling now began to be felt along the spine, but it was not in any way disagreeable. Little by little sensation began to manifest itself, first in the throat and body, and gradually extended to the extremities, but it was some time before full sensation returned, and my throat became really painful.

"Reflecting upon these phenomena, the idea flashed into my mind that I had made the discovery I had for so long a time been in quest of—a means of rendering the nerves of sensation temporarily insensible to pain, so as to admit of the performance of a surgical operation on an individual without his suffering pain therefrom. That I did draw this inference, and did fully declare my unqualified belief in both the safety and efficiency of the method of destroying all sensation of pain in the human body during the most severe surgical operations, no one doubts, and it is fully proved by abundant legal evidence which has never been impeached or doubted in any quarter.

"I beg leave to refer you again to the evidence of Dr. William F. Channing, a man of science, fellow of the American Academy of Arts and Sciences, son of the late Dr. William E. Channing, our most eminent divine; to the testimony of Dr. S. A. Bemis, one of the most eminent dentists; to the letter of John H. Blake, a distinguished chemist; and to the testimony of Mr. Henry D. Fowle, one of the best and most faithful apothecaries of Boston, (and to the letters of Dr. George T. Dexter, of New York, and of D. Jay Browne, of New York, obtained since this paper was written.) Their evidence, with that of my worthy friend and former pupil, Mr. Joseph Peabody, *éleve ingenium á l'ecole des mines* at Paris, prove that I had made this discovery, and long before any other person had even tried a single experiment of the kind.—(See, also, the new and very important evidence of Dr. George T. Dexter, of New York, and that of Mr. D. J. Browne.)

stationed as sentinels near the exterior of our bodies, to warn us of
from external causes of injury, and that there is no feeling in the internal p
of our bodies. I knew, also, that when the knife is applied in surgical ope
that there is little sense of pain in any parts beneath the skin. This m
surgical experience, as well as that of others, had long ago demonstrat
the philosophy of these physiological facts was made known to the m
world, in England and in this country, by the researches of Sir Charle
of England and was fully proved by all the eminent anatomists and physio
of Europe. Now, I had observed, 1st, that the nerves of sensation in m
body were rendered insensible to pain for some time before unconciousne
place.

"2d. That all pain had ceased in a suffering part of my body duri
stages of etherization precedingand following the unconscious state.

"3d. That this state of insensibility of the nerves of sensation contin
a sufficient length of time to admit of most surgical operations, and I had
to believe that during the unconscious period the degree of insensibilty w
greater, so that it would be impossible that any pain could be felt in a s
operation.

"4. That the nerves of motion and of the involuntary functions of resp
and circulation were in nowise affected, the functions of life going on as
while the nerves of sensation were rendered devoid of feeling, and th
could suffer no pain. By long experience in the trial of ether vapor i
modic asthma, and from numerous carefully-conducted physiological
ments, I had learned that the vapor of ether could be safely inhaled i
lungs to an extent before believed to be highly dangerous.—(Wood and
Dispensatory; Beck's Medical Jurisprudence.) That I did first disco
the nerves of sensation could be and were paralyzed to all sensation te
rily and safely by the inhalation of ether vapor is admitted by all scienti
who have examined the evidence. That I did first prescribe its admini
for the purpose of preventing all sensation of pain in surgical operatio
the guarantee, on my medical and scientific responsibility, of its entire s
my directions were strictly obeyed, and did thus introduce the use of p

the hospital, that the patient was wholly insensible to pain when under the luence of ether; but no scientific physiologist or physician can possibly ertain a doubt of the sufficiency of my evidence that the body could feel no n when the nerves of sensation were rendered insensible. Again, it is claimed my opponents, that inducing an ignorant dentist, a a man of no medical owledge, to perform the mere mechanical operations, under my advice and upon medical responsibility, expressly assumed before witnesses, that I made him a partner or joint discoverer, and that he made the first application of my dis-ery. Now, I respectfully dissent from this opinion, and, in my dissent, I am tained by the highest scientific, medical and legal authorities of this country, by the most eminent men of science of Europe, who have considered this stion. I claim that I not only discovered the principle, but also by my ice and prescription, as above stated, made the application in the highest se of the term."

Your committee will attempt to determine the weight which ought to be given this statement; first, by collating it with other facts in the case, of which y can have no doubt; second, by comparing it with other written statements the same incident, made by Dr. Jackson himself, of an earlier date; third, considering its inherent probability when viewed in connexion with Dr. ckson's own well-established acts and omissions; and lastly, the extent to ich it is supported or assailed by extrinsic evidence.

A portion of this statement of Dr. Jackson struck your committee with some prise; that, namely, in which he says: "That *I did first prescribe its admin-ration for the purpose of preventing all sensation of pain in surgical opera-ns, with the guarantee, on my medical and scientific responsibility, of its ire safety*, if my instructions were stricty obeyed, and *did then introduce the e of pure sulphuric ether vapor, mixed with air, into surgical practice, is fully oved by abundant testimony; and this is admitted by all persons who have amined the evidence that I have caused to be printed.* The only point con-sted by my opponents is that, in *their opinion*, I had not sufficient reason for *awing the inference that I did, as they admit, draw from my data*, and that could not have '*known*' the full extent of the insensibility to pain of a surgi-l operation, and that this remained to be verified by actual trial."

This is, within the knowledge of your committee, a wide departure from the tual state of fact touching the controversy. It is known to us by numerous cuments, printed and written, that the positions which Dr. Jackson thus avers have been universally conceded to him, are the very positions which have en most constantly and strongly contested since he first claimed for himself the erits of the discovery. It appears, too, that neither of these points was con-ded to him, but both adjudged against him by the Massachusetts general spital in their report of January, 1848, and most distinctly and emphatically by the report of the committee of this house of February 24, 1849.

The hospital report notices this subject as follows:

"Down to September 30, 1846, Dr. Jackson had discovered nothing that d not been known and in print in London for some years. It was known at ether would produce insensibility; that such insensibility, though some-nes fatal, was sometimes safe; and that one of the properties of ether was its wer to obviate the ill effects of an inhalation of chlorine gas. The discovery the safety and efficacy of the inhalation of ether in surgical operations had t yet been made; the only experiments which Dr. Jackson had tried, or used to be tried, being those already prescribed by the text-books. Dr. ckson had for some time entertained a strong impression that it could be ed with safety and effect during the operation of the dentist—a conjecture hich a hundred other persons may have made without discovering the fact; d incidentally on more than one occasion he had advised its use for that ass of operations, but had been unable to persuade any one to use it, not even

forthwith acted upon it. That he proceeded to inhale it himself rest
on his own assertion. The committee have no doubt of its truth.
tainly administered it to a patient. *By so doing he made this discov*
learning this result Dr. Jackson very naturally suggested to Dr. Mo
he had better get the ether tried by the surgeons of the hospital, whi
ness of Dr. Morton's, however, alleges that he had previously determi
But all the subsequent steps were taken by Dr. Morton himself. wi
slightest sympathy or co-operation on the part of Dr. Jackson, w
alleged fear of his recklessness, withheld from him all countenance an
agement. In view of these facts the committee are of opinion that the
claims advanced by Dr. Jackson, though now very extensively reco
foreign countries, are unfounded, being unwarranted alike by his act
his omissions, and that they involve great injustice towards Dr. Mor
their names will be forever jointly, though not equally, associated i
covery—Dr. Jackson being entitled to the credit of having rendered
the existing knowledge upon the subject of ether, which Dr. Morton w
though not avowedly, seeking to obtain, and Dr. Morton having fir
strated its safety and efficacy in the prevention of pain during surgic
tions; and that Dr. Morton, by consenting to permit Dr. Jackson's n
united with his in the patent, with the right to receive *one-tenth* p
profits, has shown himself disposed, fairly and honorably, to reco
amount of his indebtedness to Dr. Jackson's advice."

In the report of the committee of the House, in February, 1849, wh
questions are carefully examined, the conclusion is against the claim o
Jackson on both these points; they say:

"It is, however, contended by Doctor Jackson, that in the adminis
ether to his patient on the 30th September, and in the subsequent exh
it in the hospital, Doctor Morton acted as his agent, merely; that h
fact, the experimenter as well as the discoverer, and the merit of succe
responsibility of failure rested on him. This position your committee
proceed to examine.

"This claim is not supported by the evidence which has been thu

ne true relation which they then bore to each other, and each of them to ubject matter in controversy.

octor Jackson claims that he had long had in his mind a conviction that apor of sulphuric ether could be inhaled without danger or injury to the at, and that under its influence surgical operations could be performed with-ain. All admit him to be a man of science, fully aware of the mighty of such a discovery, and not at all indifferent to his own reputation in the ific world. In this state of things we cannot conceive it possible that he have remained inactive for years, waiting till chance should send him one to bring out his great discovery, instead of proceeding himself by experiment. It is not at all disputed that Doctor Morton went to Doctor son's shop that day uninvited; that *his own wants* and not Doctor Jack-*wishes* and *purposes* led to the conversation; that there was nothing of an ially confidential nature between them; that what Doctor Jackson said to ne said in his usual manner of public conversation, and not like a man who ngaging another to bring out a most important discovery to the world.

But take Doctor Morton to be just what Doctor Jackson and his two wit-s represent him to have been at the time of that conversation, was he the whom Doctor Jackson would have trusted to represent him in a matter so y involving his character and his fame? Say it is Jackson's discovery, xperiment is his, *he* is responsible for the consequences. If it succeed, he nade the noblest contribution to surgical science which the century has essed; if it fail, the consequences might be most disastrous. Whom does lect to carry out this, the most important conception of his life or of the Let his two witnesses answer.

According to them, a man profoundly ignorant of the powerful medicinal t which he was directed to employ—one who did not know what kind of f' sulphuric ether was, and who wished to see it in order thus to test its ities, is selected by one of the first scientific men of the age to conduct a ate and dangerous experiment with this same sulphuric ether, on the success hich even more than reputation depended. If Doctor Jackson had dwelt the subject, conceived the discovery in his own mind, considered it with a of making it known to the world and useful to mankind, he knew that h depended on the first public exhibition; and he also knew that it required ice, prudence, and skill, to render the experiment successful, and prevent ecoming disastrous. Sulphuric ether would produce insensibility to pain; *ittle* of it would make the experiment ineffectual, and bring the operator and nostrum into ridicule; *too much*, or the proper quantity *unskilfully administ-l*, would produce asphyxia, probably death. Under these circumstances, can your committee believe that Doctor Jackson would have trusted such an as his witnesses represents Doctor Morton to be with his first experiment his great discovery? Would it not have been inexcusable in him to have so? Would it not have shown a recklessness of his own fame and the of his fellow-men?

Such a conclusion, your committee are satisfied, cannot be imputed to him justice. Had Doctor Jackson made the discovery and felt that it was his, ould not have failed to be at once aware of its vast importance, and the ld-wide reputation it would give him, and he would not have trusted it for a nent in the hands of a man less skillful and scientific than himself? Indeed, ld he have intrusted it with any one? but would he not have himself seen it was administered in a proper manner, and under proper conditions to e it safe and effectual? Would he not have stood by and watched the ing pulse of his first subject, until insensibility was complete, and have been ful to withdraw it when he saw it was likely to endanger life, and have done that science and skill could do to avoid a failure or a catastrophe? But e was nothing of this. Having given the information which he did give in

another was noticed to take place the next day, about which Doctor J
gave himself no concern, and at which he was not present. The commi
that his conduct during this time was wholly inconsistent with the fact
recognized the discovery as his own and that these were his experiment

"It is urged as a reason for his absence at the first operation in t
pital that Dr. Morton did not inform him at what time it was to take pla
to this, there is no proof that he did or did not inform him; but surely, I
Jackson felt the solicitude which the discoverer would naturally feel, h
have informed himself, and his daily associations naturally led him
knowledge. On the other hand, after the successful operation of the
September, and after Dr. Morton had seen his patient, and ascertained
had suffered no injury from the ether, elated with his success, he consul
Hayden as to the mode of bringing out the discovery, and suggested
that he would introduce it into the hospital. A few days afterwards he
Hayden that Dr. Jackson would not countenance the discovery, and ag
he would go to Dr. Warren and endeavor to have it introduced into t
pital. The fact that Dr. Jackson refused to give Dr. Morton a certific
ether was harmless in its effects, or might be used with safety, is admi
Dr. Jackson in his defence by the Messrs. Lord; but they say it proves
but Dr. Jackson's 'unwillingness to figure in Dr. Morton's advertiseme
his prudence in refusing to make himself responsible for anything and
thing Morton, in his ignorance, might do with an agent liable to the mo
gerous abuse.'*

"This witness, Barnes, says that on the 30th of September, Dr. Jack

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* If Dr. Morton was all this time proceeding at his own suggestion, and on his
sponsibility merely, Dr. Jackson had a right to give or refuse his certificate of t
of the ether, according to his opinion of its merits; but if he prescribed it and e
Dr. Morton to administer his prescription, and if under his direction Dr. Morton
minister it in a case of dentistry; if on this being reported to Dr. Jackson, he dire
Morton to have it tested in a case in the medical hospital, and when asked for
certificate he refused it, he cannot be visited with too harsh a censure According
assumption, he sent an ignorant and rash operator to the hospital to impose upon
ulty He sent him armed with a nostrum which he would not say *in writing* was

yed Dr. Morton to use this new agent. He assured him it would '*not do the st injury.*' He 'urged the matter very earnestly, *expressly taking on himself* the responsibility;' and it was on the first of October, the morning after the *cessful* experiment, that Dr. Jackson refused to give a certificate 'that ether s harmless in its effects,' and yet, on the same day, the witness, Barnes, says, being advised by Dr. Morton of the success of the operation, Dr. Jackson d to him: 'You must go to Dr. Warren and get his permission to administer n the Massachusetts general hospital, and, if possible, it should be on a cap- l operation.' And he goes on to say that Morton strongly objected at first ng to the hospital; that everybody would smell the ether, and it would not kept secret; but that after learning something to disguise the odor he agreed apply to the hospital.

"We have already adverted to the fact that Dr. Morton, the very evening er the successful operation, suggested to Dr. Hayden that he would go to the spital and get permission to try the ether there; that he went the next morn- to Dr. Jackson, and returned, saying Dr. Jackson would not give his coun- ance to the discovery; and it is admitted that Dr. Jackson refused him the tificate he wished for, and one of the reasons given is that he did not think n fit to be trusted. Is it, then, probable that he urged him to go to the hos- al and there bring out his (Dr. Jackson's) great discovery? But James Intire was also present on the 1st of October, when Dr. Morton returned and vised Dr. Jackson of the entire success of the experiment, and he says not a rd of Dr. Jackson proposing to Dr. Morton to try an experiment in the hos- al. Your committee has already remarked in several other points of differ- ce in the testimony of these two witnesses, and in each case, as in this, they t themselves constrained by the testimony of other witnesses, and by the in- rent character of the evidence, to rely on the accuracy of McIntyre rather an of Mr. Barnes, where these discrepancies occur.

"Another difficulty in sustaining the position assumed by Dr. Jackson forci- y impresses itself upon your committee. According to this, on the 10th of ptember, Dr. Jackson intrusted Dr. Morton with his discovery, and not only ffered him, but 'earnestly urged' him to use it, assuring him it was perfectly fe. Dr. Morton tried it on the same evening; his success was complete; he ought to Dr. Jackson the next morning conclusive evidence of all this, and r. Jackson refused him a certificate because he would not 'make himself re- onsible for anything and everything Morton in his ignorance might do with agent liable to the most dangerous abuse,' while nothing is shown to shake r. Jackson's confidence in Dr. Morton since the previous day, or at all to change s opinion of him, except the triumphant success of the operation which he re- rted and proved. On the 16th of October the first operation was performed the hospital, at which, as we have already shown, Dr. Jackson did not at- nd, and at which his name was not known. The second operation at the hos- al took place on the 17th, Dr. Jackson taking no part in it by his presence or s counsel. Both operations were entirely successful, and both conducted on e part of Dr. Morton to the entire satisfaction of the surgeons of the hospital. t at this time Dr. Jackson's confidence in Dr. Morton, if he ever did confide in n, is wholly gone. He denies, in the conversation with his neighbor and friend, eb Eddy, that under the influence of ether the flesh of a patient can be cut hout pain; says Morton 'is a reckless man for using it as he has; the chance that he will kill somebody yet;' and in the interval between the 30th of Sep- ber and about the 23d of October, he declared that he did not care what rton did with it, or how much Morton advertised, if his own name was not wn in with it.

"It would seem that as Dr. Morton acquired eclat by his constant success, as continually and rapidly rose in the estimation of other scientific men, he has tinually and as rapidly sunk in the estimation of Dr. Jackson. The evidence

of Francis Whitman, Mr. Caleb Eddy, and Hon. Edward Warren, show that, prior and up to the 23d of October, Dr. Jackson spoke doubtingly of the effect of ether, and condemned its use; and there is no proof whatever that, within that time, he lent the slightest countenance to Dr. Morton to sustain the discovery, and all his remarks, except those stated by Mr. Hitchcock to have been made to him on the 2d and 3d of October, tend to create distrust and destroy confidence both in the operator and the agent used.* His favorable mention of

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* His conversation with Dr. Gould about the same time is to the same effect. Dr. Gould says:

6th. Please to state your first conversation with Dr C T. Jackson re-pecting the discovery of ether as an anæsthetic agent, how it arose, and the circumstances relating thereto.

Answer. I have no recollection of what led to the conversation, and an indistinct recollection of precisely what was said. I alluded to the dental operations performed by Dr. Morton under the influence of ether It was probably three days after the first dental operation he said "yes, I told him. It is sulphurine ether." I can't recollect anything definite. I recollect various things which were said, but I can't say whether they occurred at that interview or not. In substance he said, "*Well, let him go on with it; I don't care what he does with it, if he don't bring my name in with it*" I had but little conversation with him at that time, *as I thought he seemed to disclaim having anything to do with it, further than having mentioned that article to Dr. Morton.*

7th. At the time he said this had there been any surgical operation performed under the effect of ether at the hospital?

Answer. No, sir.

The conversation of Dr. Jackson with Peleg W. Chandler, esq., although somewhat loose and indefinite, carries with it conviction. It occurred at a meeting of the Warren Club, at the house of the late Abbot Lawrence. We give here a part of his examination, applicable to this point:

1st. Are you, and how long have you been, of the Boston bar? What public office do you hold? What have you held within the last ten years? At what college did you graduate?

Answer. I am a member of the Boston bar, and have been since 1837. I am city solicitor of the city of Boston. In 1844-'5-'6, I was a member of the Massachusetts legislature for the city of Boston; in 1843, for three years, I was a member of the city council, and president of it for two years; I was commissioner in bankruptcy under the late bankrupt law of the United States, while that was in force. I graduated at Bowdoin College, in Maine.

2d. When did you first hear of the ether discovery? Please state the circumstances.

Answer. The first time I ever heard of the application of ether to surgical operations was from the lips of Dr harles T. Jackson. It was at the Warren Club, I think—an association of gentlemen where scientific matters were frequently discussed. I had heard mention made of some new discovery around the room, which seemed to make considerable impression, and I, or some one near me, asked Dr. Jackson, who was present, what it was. He then stated to me, and, I think, one other gentleman—we were standing by ourselves—that some time previously Dr. Morton, a dentist of this city, came to him to borrow a gas-bag, and stated that he had an idea of filling it with atmospheric air, in order to work upon the imaginations of nervous patients, and induce them to submit to dental operations more readily; that Morton mentioned some experiment in France upon a soldier who had been condemned to death, who had been induced to believe that his blood was running, which had such an effect upon his imagination as to have killed him actually; that he (Jackson) told him that that was a very pretty story, but there was no truth in it—and then asked Morton *why he did not try ether;* that some time after this Morton came to him (Jackson) in a state of great excitement, half crazy, I think, was his expression, and said that he had found it, or had hit upon it, or words of that import—I am not positive as to the exact expression. Dr. Jackson then said that it appeared from Morton's statement, that he had shut himself into a room and inhaled ether from a handkerchief, and found, by examining his watch before and after, that he had been insensible for some minutes, or had lost a few minutes. Dr. Jackson said that he subsequently told Dr. Morton that he should charge him five hundred dollars; that he finally compromised it with Morton, by agreeing to take ten per cent., or something, I think, on patent rights for this matter; and I think the Doctor added, with a smile, that he thought he should do better, or make more out of it than if he had taken the five hundred. There was more conversation, but I do not remember the exact language; but I can state very decidedly what the impression was which was made on my own mind at the time, and that was, that Dr. Jackson regarded this affair

Dr. Keep occurred *after* the 26th of October, the actual date not fixed, and accompanied with a strong general charge of ignorance and recklessness ıst Morton, who was then in the full tide of successful experiment. This of facts is, in the opinion of your committee, wholly inconsistent with the mption that Dr. Jackson was the discoverer; that he employed Dr. Morton ing out the discovery; and that the experiments of Morton were tried on esponsibility of Dr. Jackson."

he error into which Dr. Jackson has fallen, as to the extent of the conces- which have been made him *by all* who have examined the evidence, is what remarkable, in view of the reasonings and conclusions of these two able reports upon the distinct points which he claims to have been univer- conceded—while neither of them finds it necessary to approach or touch he avers to be "the only points contested by" his "opponents," namely, se his own words,) "that I had not a sufficient reason for *drawing the infer- that I did—as they admit, drawn from my data.*" "And again, that by cing an ignorant dentist—a man of no medical knowledge—to perform the mechanical operations made by my advice, and upon my medical respon- ty, expressly assumed before witnesses, that I made him a copartner or joint verer, and that *he* made the first application of my discovery."

our committee have looked in vain through all the papers before them, and no such *admission;* nor do they find the controversy anywhere to turn upon Dr. Jackson, in this paper, avers to be the "*only points contested.*" On ontrary, they find it denied, and to have been all along denied, that Dr. son drew the *alleged inference,* or in any other manner *made the discovery;* at he employed or engaged Dr. Morton to administer the ether vapor on his Jackson's) responsibility.† These are questions which your committee

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s a settled thing, or not as a discovery that was to be anything remarkable in itself, or hat was likely to be applied beneficially, in itself considered, but as rather opening oor to future investigation in that direction, that something might hereafter be dis- ed that would stand the test of science and practical experience. There was an obvi- esire not to connect himself, as a man of science, with it to any great extent; and he use of some expression of this sort with regard to Dr. Morton, that he was a reck- dare-devil fellow, and that he would kill somebody yet. I think that was his very ssion. This was the substance of the conversation. I merely asked to see what the ct was, as there was a sort of buzz about the room in reference to something that had up.

Did Dr. Jackson say that he had told Dr. Morton, or predicted to him, what the of the ether would be?

swer. No; I think all that was said about ether by Dr. Jackson was, "*Why don't you ıer?*" I am very confident. I don't mean to say that I understood Dr. Jackson as ling all he had said to Dr. Morton.

ı. From anything which Dr. Jackson said, did you get the impression that he had dis- ed, before his interview with Morton, or believed at the time of his statement to you, total insensibility could be produced?

ojected to, as the impressions of witness. J. P. P.)

swer No; I did not so understand it. I thought Dr. Jackson meant to tell Dr. Mor- hat every man of science or liberal education knew, that ether had some effect. I rstood him as merely intending to ask Dr. Morton why he did not try ether, as the hing for the purpose which he knew of, and likely to have more effect than air.

n the contrary, he carefully and absolutely avoided all connexion with, and denied sponsibility for, the issue of the experiment until repeated public trials had proved cessful. The following extract, from the testimony of Dr. Warren, is conclusive of act. Dr. Jackson's claim, as he is proved to have made it after its first success, was ly that he "*suggested*" it, leaving the "*whole responsibility*" on Dr. Morton:

2d. Do you recollect a conversation between yourself, Dr. Gould, and Dr. C. T. Jack- respecting this discovery, about the time of the operations of November 7? When his?

ınswer. I recollect it perfectly well; it took place at a meeting of the Thursday ing Club, at my house, about the time of the introduction of ether as an anæsthetic. ould and myself were engaged in conversation on the subject of the recent surgical

"'I request permission to communicate through your medium to the
of Sciences a discovery which I have made, and which I believe impo
the relief of suffering humanity, as well as of great value to the surgica
sion. Five or six years ago I noticed the peculiar state of insensibi
which the nervous system is thrown by the inhalation of the vapor of
phuric ether, which I respired abundantly; first, by way of experim
afterwards when I had a severe catarrh, caused by the inhalation of
gas. I have latterly made a useful application of this fact, by persuadin
tist of this city to administer the vapor of ether to his patients, when
undergo the operation of extraction of teeth. It was observed that pers
fered no pain in the operation, and that no inconvenience resulted from
ministration of the vapor.'"

In a second letter, of December 1, 1846, Dr. Jackson authorizes the
of the above letter. The following is an extract from it, and the expl
remarks of M. Velpeau:

"DECEMBER 1,

"The advantage of the appreciation of the vapor of ether has been con
established in this country, and the agent has been used with great su
the Massachusetts General Hospital."

On this point M. Velpeau made the following remarks:

"The secret contained in the note which has been read is no longer
The medical journals published in America and England have divulged i
months of November and December. A letter from Dr. Warren, of

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operations for anæsthesia While we were conversing Dr. Jackson approached, c
Dr Gould said, 'There is Dr. Jackson; he knows more about it than I do.' Wl
turned to Dr. Jackson, and asked him what he knew about the use of ether as
thetic. 'Oh,' said he, 'I was the person who suggested the use of it to Morton;'
added, either then or afterwards, 'I advised him to go to you and get you to
surgical operations with it, otherwise he might kill somebody, and then he would

communicated the information to me more than one month ago; and Dr. Willis Fisher, of the same city, proposed that I should try its effects at La Charité towards the middle of last December."

The present object of quoting these letters is to show the account which Dr. Jackson then gave of his experiment in 1841–'42. It, in truth, goes no further than prior experiments had made familiar to the medical faculty. The Edinburgh Medical Journal of April 1, 1847, speaking of it, says:

"In the administration of ether vapor there is therefore nothing new. Its narcotic and anodyne effects have been long well known to experienced and well-informed observers. The application of ether vapor, nevertheless, as an anodyne, previous to surgical operations, suggested a mode of exhibition which, besides being new, has the merit of being more efficient than the methods in ordinary cases."

Dr. Jackson's trial, in 1841–'42, as stated by him in the above letter, was a mere application of its well-known narcotic and anodyne properties. In a paper published by Dr. Jackson in the Boston Daily Advertiser of March 1, 1847, he adds to the statement in his letter to M. Elie de Beaumont but one distinct fact—relief from the pain of his catarrh during the effect of the inhalation of the vapor of sulphuric ether, and its return presently afterwards. The same fact is stated as having occurred in Dr. Thornton's practice, first published in 1795–'96.

In a letter written by Dr. Jackson to Dr. Martin Gay, dated May 1, 1847, he professes to give an account of his "experiments and observations made several years ago on the inhalation of the vapor of pure sulphuric ether." He states his experiments as follows: The first:

"I moistened a cloth and laid it over my mouth and nostrils, and laid myself back in a rocking-chair, and inhaled the vapor, noticing its effects upon the system. The first impression was that of coolness, then a sensation of warmth and exhilaration, with a singular feeling of excitement in the chest. This was followed by a loss of consciousness, from which I in a short time awoke. Soon afterwards I entirely recovered from the effects of the ether."

The second:

"Afterwards, still suffering from the effects of the chlorine, I thought I would try the ether vapor again, and for a longer time. I went, therefore, into my office, which is connected with my house, and taking the bottle of pure sulphuric ether from the laboratory, I soaked a folded cloth in it, squeezed it out slightly, and seating myself in a rocking-chair, with my feet resting upon another chair, commenced inhaling the ether from the cloth, which was placed over my mouth and nostrils, while my head was laid back against my chair, so that I was quite at ease in a fixed position. The effects of the inhalation were as before described, excepting that it made me cough at first. I was therefore led to believe that the paralysis of the nerves of sensation would be so great during the continuance of the insensibility that a surgical operation might be performed upon a patient under its influence without giving him any pain, for the loss of consciousness was remarkable, perhaps resembling that of epilepsy more than any other kind of insensibility."

On the 18th of May, 1848, something more than a year afterwards, the contest about the discovery all the time going sharply on, and new facts daily developing themselves in the use and effects of sulphuric ether, Dr. Jackson addressed a letter to Joseph Hale Abbott, esq., giving, as he says, "a more minute statement than I have heretofore published of the effects produced upon me by sulphuric ether when I inhaled it for relief from the distress occasioned by the inhalation of chlorine in the winter of 1841–'42, and also a statement of the precise ground, which I have never published, of the idea then conceived

the ether. The effects perceived by me were at first a little coughing, tion of coldness, then warmth and fullness of the head and chest, ex and giddiness, numbness and want of feeling in the feet and legs, a s sensation, as if I had been afloat in the air, together with a loss of all f the rocking-chair in which I was seated, loss of all sensation of pai throat and chest, a state of reverie, and soon entire unconsciousness, fo of time unknown to me. Recovering, I felt a sense of giddiness, but desire to move; found the cloth I had moistened with ether had drop my mouth; had no feeling of pain in the throat and chest, but began strange thrilling in the body. In a short time I felt the soreness in t gradually returning, and the distress in the chest also, though much le had been before. From the cessation of all pain, and the loss of all f external objects, a little while *before* and *after* the loss of entire consc I was led to infer that the paralysis of the nerves of sensation wou great during the continuance of the unconsciousness and the total loss c that a surgical operation could be performed upon a patient under the of ether without giving him any pain, and therefore I prescribed it wi confidence in the result."

Next follows, on the 18th of December, 1851, the narrative to B Humboldt, above set forth, but to which your committee think proper again specially in this connexion. After stating the accidental inha chlorine gas, and the means used to destroy its effects, he says: "T morning my throat was severely inflamed, and very painful, and I pe distinct flavor of chlorine in my breath, and my lungs were still much o I determined, therefore, to make a thorough trial of the ether vapor, and purpose went into my laboratory, which adjoins my house in Somers and made the experiment from which the discovery of anæsthesia was I had a large supply of perfectly pure washed sulphuric ether, which pared in the laboratory of my friend, Mr. John H. Blake, of Boston. a bottle of that ether and a folded towel, and seating myself in a rocki and placing my feet in another chair, so as to secure a fixed position clined backward in the one in which I was seated. Soaking the tow

lryness of the cloth, which during this state of unconsciousness had fallen from ny mouth and nose, and lay upon my breast. As I became conscious, I observed still there was no feeling of pain in my throat, and my limbs were still leeply benumbed, as *if the nerves of sensation were fully paralyzed.* A strange hrilling now began to be felt along the spine, but it was not in any way disareeable. Little by little sensation began to manifest itself, first in the throat id body, and gradually extended to the extremities; but it was some time efore full sensation returned, and my throat became really painful.

"Reflecting upon these phenomena, the idea flashed into my mind that *I had ade the discovery I had so long a time been in quest of*—a means of rendering the nerves of sensation temporarily insensible to pain, so as to admit of the rformance of a surgical operation on an individual without his suffering pain erefrom."

These statements would have been entitled to much more weight, in the estiation of your committee, if all the facts alleged to have been observed, and nclusions drawn, in 1841–'42, as stated in the letter to Baron Von Humboldt, December 18, 1851, had appeared in the letter to Elie de Beaumont, of Nonber 13, 1846, or even in that to Dr. Gay, of May 1, 1847; but such is by means the case. Each successive letter states the case more strongly than e last preceding, and the facts superadded in the two last letters are those ich alone give novelty and importance to the experiment.

In closing his statement of the last and final experiment in 1841–'42, in the rt of the letter of December 18, 1851, to Baron Von Humboldt, last above t forth, Dr. Jackson says: "Reflecting upon these phenomena, the idea flashed to my mind that *I had made the discovery I had for so long a time been in est of*—a means," &c. And he goes on to give, formally and in detail, the entific deductions which he says were made at the time, and which then led m to the conclusion. If that statement be true, the discovery at that time, so as private experiment and philosophical deduction could go, was as full and mplete as it was on the morning of October 1, 1846, after Dr. Morton's successful operation on Eben Frost.

Now, if Dr. Jackson, in the winter of 1841–'42, did, in fact, make such disvery, and in earnestness, and in faith, and enthusiasm, was possessed with it, d with an animating desire to give it, and to give his name with it, to mand, how happens it that no cotemporary written paper or pen-mark, under e hand of Dr. Jackson, or some one of his numerous friends or pupils, reins to attest the discovery? No private memorandum of his own, detailing experiments and his scientific deductions from them; nothing, in case of dden death, to connect his name with the discovery, and secure the discovery elf to the world.*

On the contrary in his cotemporaneous letters to his correspondents abroad, down to the before the operation at the hospital, he does not mention the subject.

On the *5th day of October*, 1846, (that is, the very day before the operation at the hosal, and fifteen days after Morton had made his discovery,) Dr. Jackson wrote a letter to friend and fellow geologist, Mr. Josiah D. Whitney, in which he gives him all the news the day, speaks of a microscope, of the Lake Superior copper mines, the meeting of the sociation of American Geologists and Naturalists, and what papers were read before it, even goes so far into minute and gossipy details as to write: "My house is at last comted, and so is the big Howard Athenæum, a brick and stone edifice of Gothic order hat a style for a theatre! Is it not ready for converting into a church? It is a handne house, but there are now five theatres in Boston. What next? My family are all ll, and now at home. The Plymouth life did them good. I have a fine lot of students," , &c. And yet not one word is said in the letter of the momentous trial which was to te place on the ensuing day, and which had been instituted "*by Morton at his (Jackson's) ent request.*" Not a hint was dropped that he was then possessor of a secret to which the ormation that the "Pittsburgh Cliff mines have done very well," or the "Lake Superior

up his mind to claim the discovery. He wanted further verification safety and efficacy of the anæsthetic agent before he took the decisive announcing it as his own. He therefore directed the letter making the the discovery to be deposited, *sealed*, in the Academy of Arts and Sci Paris, not be opened until he should direct.

The success of the pain-subduing agent between that day and the December, 1846, removed all doubt. The discovery was established. ready stood first in rank in the discoveries of the century, and fame, and and rewards awaited the discoverer. Dr. Jackson, on that day and und circumstances, wrote the letter last above copied, to M. Elie de Beaum recting him to open the sealed packet, and publish him, Dr. Jackson, to as the discoverer.

Considering the man and the discovery; the inestimable value of the ery; the knowledge of the man, and his capacity to appreciate its val full appreciation of it when satisfied that the discovery was in fact ma his eager promptitude in then seizing and appropriating it to himself, yo mittee cannot believe it possible that he should have been for a long earnest pursuit of the discovery; that he should have made it and perfe in 1841–'42 by experiment and deduction; that he should, for nearly five have been in possession of it, and with his full estimate of its value; a that he should not, in its inception or progress, *record it*, somewhere, a time, on something more fixed and reliable than mere frail, uncertain, and ble memory.

He knew well, if he thought on the subject at all, that but a thin vei rated the familiar and daily walks of the faculty from the spot where lay den treasure. Did he not fear that some one would lift the veil? He was but a step, and that a short one, from what was well known to the dis itself. Did he did not fear that some one would take that step and se prize which he could then so easily secure to himself forever? If he m discovery in 1841–'42, and was not yet prepared to disclose it, there was then for placing in the archives of some European and some American ac

a sealed paper, giving an account of the facts observed, and the deductions drawn at the time, that this much at least might be beyond the reach of rivalry and chance. But was there any just reason for this when he committed the sealed letter above referred to to M. Elie de Beaumont? The discovery was public and in public use in Boston for more than a month before that letter was written and sealed. The packet ship that carried that letter bore also the news of the discovery to Europe. What secret did this paper contain, that it must be kept under seal until the next arrival from America? Nothing, surely, which was not public in Boston when the packet sailed; public also, of course, on board of the ship, and which must be public over all Europe within twenty-four hours after she should touch the Liverpool docks.

The sealed letter contained but one single secret not known over the European and American world, before it reached the hands of M. Elie de Beaumont, namely: that Dr. Charles T. Jackson claimed the discovery as his. And why did he not then avow it, and proclaim it, instead of requiring his claim to remain under the seal of secrecy till the next arrival? His letter of 1st December gives the reason. It advises M. Elie de Beaumont that the success of the newly discovered anæsthetic agent is complete, and directs him to open, therefore, the sealed packet, and disclose its contents to the academy. He did so; and Dr. Jackson was forthwith in possession of the discovery in Europe.

Until the first capital operation under the influence of the vapor of ether, which took place on the 7th of November, 1846, Dr. Jackson had evidently no fixed confidence in its success as an anæsthetic agent. Nor did this seem to satisfy him fully. Six days after this he sent his sealed statement to be deposited in the academy at Paris, and not until many more successful operations had been performed under the superintendence of Dr. Morton, and until the last doubt of the incredulous was removed, did he direct publication to be made of his claim to the discovery. It is not to be credited that he had already possessed this discovery for five years, and knew its value and felt the enthusiasm of the discoverer; that he held it, and believed in it, and rejoiced in it, for five years; and yet that no word or line was ever written by him or any one of his numerous confidential friends to him, or for him, until the letter of November 13, 1846, hinting even darkly at his possession of the mighty prize. And the difficulty is greatly increased when these striking facts are considered in connexion with this letter, embodying the first written statement of Dr. Jackson's alleged discovery. The accounts there given of his alleged experiments in 1841–'42 show no new discovery, but a mere repetition of a well-known prescription for its usual purpose, attended with effects also before that time well known. And the medical journals from the other side of the Atlantic, which returned with a review of the discovery, show this fact, and comprise all the merits of the discovery in the successful application of the vapor of sulphuric ether as an anæsthetic agent in an actual surgical operation. *These journals, with this criticism and judgment, had been in the hands of the American public more than a month before Dr. Jackson published his amended and extended statement of March* 1, 1847, *and more than three years before his letter of* 18*th December*, 1851, *to Baron Von Humboldt, the statement in which, if it be believed, supplies all deficiencies except the want of a public experiment, or one, at least, made in the presence of witnesses.* But it is strange, if that statement be true, that Dr. Jackson, from 1841–'42, to September 30, 1846, never applied that crowning test; that after he professed to have perfected the discovery by philosophical experiment and induction, he suffered it to sleep for five years, during which time he never made another experiment of any kind on himself or on another person, or even on a domestic animal; that, from first to last, he never made an experiment of any kind in the presence of witnesses. Indeed, for several years prior to 30th September, 1846, the use of sulphuric ether appears to have ceased in his laboratory, for in his letter to

Baron Von Humboldt, giving his version of the interview with Dr. Morton on that day, he says:

"He (Morton) asked me to let him take the bottle of sulphuric ether which I had just shown him; but *since it had been standing in the laboratory for* SOME YEARS, *I feared it might have become deteriorated.* I therefore advised him to go to Mr. Burnett, one of our best apothecaries, and get some pure sulphuric ether."

Dr. Jackson evidently feels that the long delay, from 1841–'42 to 1846, in bringing out his alleged discovery, and the sudden and abrupt manner in which he professes to have placed it in the hands of a man whom he stigmatizes as an "*ignoramus*" and a "*quack*," require explanation; and in his letter to Baron Von Humboldt, he gives the following:

"It is obvious enough, to those who know the circumstances, why I engaged an ignorant man to introduce my discovery. I had already, before Mr. Morton came to Boston and set up as a dentist, endeavored to engage more responsible persons to make trial of the ether in their practice, but they declined doing so, knowing that the medical and toxicological books declared it to be a *dangerous experiment*, while I *insisted that it was not dangerous.* They thought that in their medical capacity they would incur responsibility for any accidents that might happen to the patients, and hence feared to act."

If Dr. Jackson made, in truth, this great discovery in the winter of 1841–'42, and was conscious of its truth and its value, the above statement, in the opinion of your committee, falls far short of a sufficient explanation of the fact that he so long delayed announcing it to the world. According to him, the discovery was complete as soon as he awoke from the state of unconsciousness into which he had been brought by inhaling the ether vapor. All was complete, except to bring it out by an actual experiment in the presence of the surgical faculty—as complete, as far as he was concerned, as it was on the morning of the 30th of September, 1846. Now, can it be believed that during more than four years that intervened between the time of the alleged discovery and the public experiments of Dr. Morton, no available means offered themselves to Dr. Jackson to test it, and disclose it, and prove it to the world? He says, "And it is well known that the vapor of sulphuric ether was sometimes inhaled by the young men at college." Could he not, after this discovery, have been present, and after leading the way himself have induced some of them to inhale it until it produced insensibility? Could he not have himself inhaled it before his friends and associates of the hospital, and satisfied them of its safety by his speedy recovery, of its complete suspension of all sensibility to pain by usual tests with which he was familiar, or even something more decisive, as the actual cautery applied for an instant to some sensitive part? Conviction would have followed a simple and safe exhibition like this, and his associates—members of the faculty of the hospital—would not have hesitated to further test the discovery by surgical operations. Indeed, we cannot suppose that they would have hesitated to do so at once on his mere statement of the experiment upon himself, as given to Baron Von Humboldt, and his assurance that it produced anæsthesia, and was attended with no injurious effects. They did not hesitate to grant it to the representations of Dr. Morton, a young man almost a stranger to the faculty. Dr. Jackson, it seems, too, believed they would grant it thus readily, for he says he directed and urged Dr. Morton to go and ask it, to which he says Dr. Morton reluctantly consented; and Dr. Jackson gave him no written paper, and spoke no kind word in his behalf to any of the faculty. With the extraordinary facilities for bringing out such discovery which Dr. Jackson had at his very door; with his own high scientific position, which enabled him fully to com-

mand them, your committee cannot believe that he made the discovery and was compelled by a kind of necessity so long to withhold it from the world. Dr. Jackson shows no such necessity. Nor can your committee believe that he had the secret, and held it, for any reason or from any motive, a buried talent for nearly five years; that he witnessed from time to time, during all that long period, the agony of the human frame under the tortures of the cautery, the scalpel, and the knife, and remained silent, while he had, and knew he had, sovereign power over pain, and could banish it instantly with a breath.

But Dr. Jackson, in his own conduct and bearing in reference to this discovery, and its verification and presentation before the public, from the 30th of September, 1846, down to the time that it was fully established, proves that he was not and did not believe himself to be the discoverer. Giving Dr. Jackson the full benefit of the favorable opinion which he entertained of Dr. Morton before he had determined to become his competitor for the honor of the discovery, (which appears by his certificate, namely, that he was a young man of marked energy and intelligence, and very creditable acquirements in such branches of science as pertained to his profession,) still it is not within the range of probability that Dr. Jackson, had he possessed the discovery, would have intrusted him or any one else to test its merits in the manner and under the circumstances in which he professed to have intrusted it.

He unquestionably believed Dr. Morton ignorant of sulphuric ether, its properties, and its use, and supposed he had never thought of its application in the manner proposed. Surely he would not select a man, ignorant of the anæsthetic agent itself, to perform the delicate operation of first testing its efficacy and safety. He knew how much depended on its first exhibition, and he also knew that it required science and skill to render the experiment successful, and to avoid danger and disaster. Sulphuric ether would produce insensibility to pain; too little of it would make the experiment ineffectual and expose the operator to ridicule; too much, or the proper quantity unskilfully administered, would produce asphyxia, perhaps death. Under these circumstances, Dr. Jackson could not have trusted a young man without medical knowledge, and without the knowledge of sulphuric ether or its effects, to conduct his first great experiment, and he himself think it not worth his while to be present. But, according to his own statement, he gave to Dr. Morton no sufficient instruction correspondent with the mighty mission on which he was sent. He gave all the instruction which he saw fit to give in ten or fifteen minutes, he *walking*, and his pupil, according to his last statement, *capering* about the laboratory. He despatched him, however, on his mission of mercy to banish pain from the human race, and he himself quietly took his seat again in his laboratory, and troubled himself no further about the result.

Dr. Jackson, had he thought on the subject, knew well that the effects of ether vapor would be different on different persons, and even on the same person in different states of the system. Had he been about to bring out his own discovery, the crowning honor of his life, he would not only have attended in person to the skilful administration of the anæsthetic agent, but he would have been especially careful in the selection of a subject. On the contrary, if this was *his experiment*, he directed its trial on the worst subject conceivable—*a nervous and refractory patient who refused to submit to an operation.* That was what Dr. Morton professed to have on hand, and in reference to which Dr. Jackson says he disclosed his discovery and gave directions for its application. The first operation was really performed on a fortunate subject, such a one as Dr. Jackson might well have selected; but he knew nothing of this, or of anything other and further than *the refractory patient.* But Dr. Morton returned to Dr. Jackson's laboratory the next day, and reported the success of the experiment. Dr. Jackson, according to the testimony of Barnes, one of his witnesses, is quite unmoved, and expresses no surprise, but advises, and, as Dr.

Jackson himself says, urged Dr. Morton to go to Dr. Warren and get his permission to try it in a capital case at the hospital. Now, if Dr. Jackson were really the discoverer, and had employed Dr. Morton to make the experiment *for him*, and as his agent, why did he send *him*, or advise or urge *him*, to go to the hospital at all? He refused him a written certificate that the anæsthetic agent which he used was harmless, because, as his former counsel, the Messrs. Lords, said for him, of an "unwillingness to figure in Morton's advertisements, *and his prudence in refusing to make himself responsible for anything and everything Morton, in his ignorance, might do with an agent so liable to the most dangerous abuse.*" How came he, then, to trust Dr. Morton with this agent? Why did he urge him to go with it to the hospital? He says, in his letter to M. Elie de Beaumont, that the experiments in the hospital were his. He had his anæsthetic agent tested there in a capital experiment. He sent Dr. Morton to Dr. Warren to ask its admission into the hospital, and yet refused Dr. Morton a written certificate of the safety of the agent because he would not "*make himself responsible.*" And who was responsible? We have no hesitation in saying that Dr. Jackson's claim to these experiments is unfounded, and his statements so far untrue, or he was guilty of bad faith towards Dr. Morton, and especially towards the faculty of the hospital.

But the question recurs, why did he urge Dr. Morton to go to the hospital at all? He does not pretend to have employed him as his sole and only agent to bring out his discovery. On the contrary, according to the statement of Barnes, his witness, Dr. Jackson, on the 1st of October, when applied to by Dr. Morton to keep the discovery secret, replied, "No; I will have no secrets with my professional brethren." He was under no obligations to Dr. Morton. Why did he send him to the hospital? He had trusted Dr. Morton in one case only. If he did not think it worth his while to attend at the hospital himself and see in person to the administration of the anæsthetic agent in a capital case, he might have trusted it to some one of the learned surgeons of the hospital, to whom he could in a few minutes' time have communicated all the information which he gave to Dr. Morton but the day before. He would then also have been free from all responsibility, which, though refused *in writing*, he says was *assumed before witnesses*, for what, in the language of Dr. Jackson's counsel, "Morton, *in his ignorance and rashness, might do with an agent so liable to the most dangerous abuse.*" This would have been consistent. If he engaged a dentist to use his discovery when he should *extract a tooth*, would he not have engaged a surgeon to use it when he should amputate a limb? For what possible reason, if his statement be true, could he send the dentist, who was profoundly ignorant of his anæsthetic agent, to administer it in a capital surgical operation among learned and skilful men, and at the same time advise him how to disguise it so that they might not know what he was using? He was determined to have no secrets with his professional brethren, and that he would tell them all that he had told Dr. Morton; yet he put Dr. Morton in possession of a convenient means of disguising the agent, and keeping secret the *actual discovery*. This was consistent and right if it were Dr. Morton's discovery, but a self-contradiction on the instant, almost in the same breath, if it were his own. It is clear to us that at this time Dr. Jackson did not claim the discovery, but held himself in such position that he might at any moment assert an interest in, or repudiate and condemn it. Sometimes the experiments of Dr. Morton were successful, and Dr. Jackson spoke well of the discovery to a few special friends, as Mr. Hitchcock and Mr. Sumner. Sometimes the experiments were unfortunate, as in the case of the boy supposed to be poisoned, and Dr. Jackson doubted the success of the discovery, and censured Dr. Morton, as in his conversation with Caleb Eddy, Francis Whitman, and Dr. Gould.

"On the 16th of October," we repeat from the report, "the first operation was performed in the hospital, at which, as we have already shown, Dr. Jack-

son did not attend, and at which his name was not known. The second operation at the hospital took place on the 17th, Dr. Jackson taking no part in it by his presence or his counsel. Both operations were entirely successful, and both conducted on the part of Dr. Morton to the entire satisfaction of the surgeons of the hospital. But at this time Dr. Jackson's confidence in Dr. Morton, if he ever did confide in him, is wholly gone. He denies, in the conversation with his neighbor and friend, Caleb Eddy, that, under the influence of ether, the flesh of a patient can be cut without pain; says Morton 'is a reckless man for using it as he has; the chance is he will kill somebody yet.' And in the interval between the 30th of September and about the 23d of October he declared that he did not care what Morton did with it, or how much Morton advertised, if his own name was not drawn in with it.

"It would seem that as Dr. Morton acquired eclat by his constant success, as he continually and rapidly rose in the estimation of other scientific men, he as continually and as rapidly sunk in the estimation of Dr. Jackson. The evidence of Francis Whitman and Caleb Eddy show that, prior and up to the 23d of October, Dr. Jackson spoke doubtingly of the effect of ether, and condemned its use; and there is no proof whatever that, within that time, he lent the slightest countenance to Dr. Morton to sustain the discovery, and all his remarks, except those stated by Mr. Hitchcock to have been made to him on the 2d and 3d of October, tend to create distrust and destroy confidence both in the operator and the agent used. His favorable mention of it to Dr. Keep occurred *after* the 26th of October, (the actual date not fixed,) and was accompanied with a strong general charge of ignorance and recklessness against Morton, who was then in the full tide of successful experiment. This state of facts is, in the opinion of your committee, wholly inconsistent with the assumption that Dr. Jackson was the discoverer; that he had employed Dr. Morton to bring out the discovery; and that the experiments of Morton were tried on the responsibility of Dr. Jackson.

"On the 30th of September the first successful operation took place. On the 1st of October Dr. Morton applied to R. H. Eddy, agent for the patents, to aid him in procuring a patent for the discovery. Mr. Eddy took the case into consideration, and did not see Dr. Morton again until the 21st. In the mean time, Dr. Morton's experiments had been attended with the most flattering success. Two operations had been performed in the hospital to the entire satisfaction of the faculty, and the discovery had acquired a footing in the medical world; and prior to the 21st, (but the precise day is not stated,) Dr. Jackson had a conversation with Mr. Eddy, was informed of the application of Dr. Morton for a patent, and claimed that he had some connexion with Dr. Morton in making the discovery. He called on Dr. Morton on the 23d, and it was then arranged that Dr. Jackson was to have $500 for the information he had given Dr. Morton, if ten per cent. on the proceeds of the patent would produce that amount.

"This arrangement between the parties, settled by and between themselves, in a private conference, proved by their subsequent conversation with Mr. Eddy, and not now denied, shows conclusively the view that each had of his respective participation in the discovery. It was, between them both, distinctly a business transaction—an affair of dollars and cents; and clearly Dr. Jackson called and introduced the conversation, not to assert his rights to the discovery; not to inquire as to its success, for of this public report had advised him; not to give any advice or caution as to its further use, but to claim a compensation in money for the advice and information he had given to Dr. Morton on the 30th of September; and $500, if ten per cent. on the proceeds of the patent would produce it, was agreed upon as the sum to be paid for that information. This conversation and agreement is entirely consistent with the view we have thus far taken of the case, but it is wholly inexplicable on the ground assumed by Dr. Jackson."

This agreement being concluded, Dr. Jackson went home, as he himself admits, and charged Dr. Morton $500 on his books for the information which he had given him. This is the first entry or pen-mark made by Dr. Jackson with regard to this discovery which has come to the knowledge of your committee. It is true Dr. Jackson insists that the arrangement, in pursuance of which the entry was made, was obtained from him by the falsehood and subtlety of Dr. Morton. The assertion is easily made, but of little value against the contradictory statement of Dr. Morton, and the whole sequence of facts going fully to sustain that statement. A written paper, signed by Dr. Jackson on the 27th of October, 1846, sustains the arrangement resulting in the entry by Dr. Jackson; but this, also, he attempts to invalidate, on the alleged ground that it was altered, without his knowledge or consent, by Mr. Eddy, the patent solicitor, after he had agreed to sign it, and before he signed it, and that thus a false paper was palmed upon him. This statement is also wholly unsupported, and at variance with proof and probability. The former committee, in speaking of the conversation testified to by Mr. Eddy, and the arrangement that Dr. Morton should pay Dr. Jackson $500, if ten per cent. on the proceeds of sale would amount to it, say:

"But the representations and advice of Mr. Eddy, the common friend of the parties, modified their arrangement. He represented to Dr. Morton that Dr. Jackson, from having given him the information and advice spoken of on the 30th of September, was entitled to participate in the patent as a joint discoverer; that if he were not joined in the patent, the fact of his giving that information would be used to impeach the patent; and that if Dr Jackson were joined as a patentee, his name, and his advice and assistance, would be useful in bringing out the discovery, and giving it celebrity. With these arguments Dr. Morton was satisfied, and consented that Dr. Jackson should be named as a joint discoverer in the patent. Mr. Eddy also advised with Dr. Jackson, who informed him that, 'by the laws of the Massachusetts Medical Society, he would be prevented from joining with Dr. Morton in taking out a patent, as he would be expelled from the association if he did so. He further stated that he intended to make a professional charge of $500 for the advice he had given him, and that Dr. Morton had acceded to this; that he did not wish his name coupled with Dr. Morton in any manner; that Dr. Morton might take out a patent, if he desired to do so, and do what he pleased with it.' At a subsequent interview, prior to the 27th October, Mr. Eddy urged Dr. Jackson to waive his objections to associating with Dr. Morton, as 'I was confident that he was mistaken in his views as to what would be the action of the medical association; that Dr. Morton could not properly take out a patent without him; and that by joining in the patent, he would, of a certainty, be obtaining credit as a discoverer; whereas, should he not do so, he might lose all credit, as in the case of the magnetic telegraph, which, I understood from Dr. Jackson, he had suggested to Professor Morse.' The objection as to the medical society was removed on consultation with Dr. Gould. Dr. Jackson consented to join in the patent, and it was agreed that he should have ten per cent. of the proceeds for his interest in it."

In settling the question to whom belongs the honor of the discovery, it is unimportant whether Dr. Jackson did or did not desire to give it freely to the world. Such desire, if he had it, did not make the discovery his; and if it were not in fact his, the desire is without merit. In one point of view only is the patent question and contest relevant, namely: to show what the parties understood of their several rights; nor would we touch upon that, after the above examination of the subject by the former committee of the House, but to add to it another item of evidence. After this controversy had arisen and waxed warm, on the —— day of January, 1847, Messrs. Loring & Hays, the counsel

for Dr. Jackson, addressed a letter to Dr. Morton, of which the following is an extract:

"It seemed best that the differences between Dr. Jackson and yourself should not be made public; on the contrary, that it should be generally understood the difficulties were in the course of adjustment. * * * We have uniformly said, when inquired of, that we were making arrangements that we hoped would distribute the profits of the discovery in such a manner that would be satisfactory to all parties.

"Under the present circumstances of the case, we think the least that, in justice to yourself and Dr. Jackson, you can offer, is twenty-five per cent. of the profits arising from the invention, both at home and abroad, in settlement of his claim upon you. * * * * * * * *

"It is our wish to settle this matter amicably, if possible. We hope you will see, by our suggestions, that we wish only to have a fair distribution of the profits of a discovery made among those who cannot, if they disagree, effectually sustain the patent, and which, if sustained, *promises to give to all parties large sums of money for their united co-operation.*"

The proposition was rejected by Dr. Morton. This transaction shows the view that the parties each entertained, at that time, of his rights in the discovery, and it does not, in the opinion of your committee, place Dr. Jackson in a favorable position to denounce the patent, in the profits of which he desired thus to participate, as "*an infamous speculation on human suffering.*"

The former committee proceed to say:

"Your committee do not feel that on this question of fact the parties ought to be bound by the legal conclusions of their common friend, Mr. Eddy, or by the papers which they executed in pursuance of his legal advice. But they do consider the communications made by them at the time to Mr. Eddy, the mutual agreement of the parties between themselves as touching the discovery, and the facts admitted by them on the consultation, as matter of the utmost importance and significance. A voluntary agreement took place between the parties on that day, of which both must have understood the full force and effect, and to which neither seems to have been, or probably could have been, impelled by advice or counsel. It was that the whole right to use the discovery under the patent should be and was assigned to Dr. Morton, he paying to Dr. Jackson ten per cent. on all sales for licenses.

"Your committee cannot here fail to remember the unqualified terms of contempt and reprobation in which Dr. Jackson had, during the preceding part of the month, down almost to the very date of this arrangement, spoken of Dr. Morton and his alleged ignorance and recklessness in the use of this agent. They cannot conceive it possible, if he felt himself to be the true discoverer, that he would, by solemn contract, relinquish all power over his discovery, and place it solely in the hands of a man of whom he thought so ill. Dr. Jackson indignantly repels the idea that it was done for the purpose of gain, and we think it could not be the case, as the pittance reserved to him, if he conceived himself the true discoverer, was despicably small. And how could he hope to acquire *fame* by abandoning the most important discovery of the age?—one which, if it were his, and if, under the auspices of his reputation, with his skill and science, it were presented to the world, could not fail to place him on the highest scientific and professional eminence. How could he hope to acquire fame by thus surrendering all control over the discovery, and placing it in the hands of such a man as he had represented and still represents Dr. Morton to be.

"A careful examination of the above detailed acts and conversations of the parties, down to the 27th of October, about which it would seem to your committee there could be no doubt, renders it clear, almost to demonstration, that neither Dr. Jackson nor Dr. Morton, nor any of those who had witnessed or aided in the operation, supposed that Dr. Jackson was entitled to the merit of

this discovery, or any other merit than that of having communicated important information to Dr. Morton; and if we trace the conduct of the parties further, this opinion is but confirmed.

"On the 7th of November a capital operation was performed by Dr. Hayward in the hospital, the patient being under the influence of sulphuric ether, administered by Dr. Morton. Dr. Warren, being informed by Dr. Jackson that he suggested the use of sulphuric ether to Dr. Morton, invited him to attend and administer the ether. He declined, for two reasons: one was, that he *was going out of town;* the other, that he could not do so consistently with his arrangements with Dr. Morton. So the first capital operation, under the influence of ether, was successfully performed, Dr. Jackson not yet thinking fit to attend. But in a communication published in the Boston Daily Advertiser of March 1, 1847, he says: 'I was desirous of testing the ether in a capital operation, and Dr. Warren politely consented to have the trial made; and its results proved entirely satisfactory, an amputation having been performed, under the influence of the ethereal vapor, without giving any pain to the patient.' It strikes the mind with some surprise that Dr. Jackson should claim this operation as an experiment made by him, at his request, and to satisfy himself of the efficacy of the 'ethereal vapor' in a capital operation, when the only connexion which he had with the operation was to decline attending it when specially invited. Indeed, so entirely did he omit to inform himself on the subject of this experiment, which he declares to be his, that in the above communication he names Dr. Warren as the surgeon who performed the operation, which was, in fact, performed by Dr. Hayward.

"Another surgical operation was performed at the Bromfield House on the 21st of November, the ether again administered by Dr. Morton. Dr. Jackson was then present for the first time, on invitation, but merely as a spectator. On the 2d of January, 1847, an operation was performed in the hospital, when Dr. Jackson attended, and brought with him a bag of oxygen gas, to relieve the patient from asphyxia in case it should supervene. Nothing of the kind occurred, and the gas was not used. This is the first and only act of Dr. Jackson's made known to your committee which implied that he had any duty to perform in the administration of the ether, or that he rested under any responsibility as to its effects."

Among the papers not heretofore presented, Dr. Jackson has brought before your committee a letter of George T. Dexter, dated December 19, 1851, in which the writer states that Dr. Jackson in the year 1842 communicated to him his discovery of sulphuric ether as an anæsthetic agent, and spoke of it freely, earnestly, and confidentially, as a means of alleviating much human suffering in surgical operations; that in the winter of 1842 the witness called on Dr. Jackson in his laboratory, who told him he continued his experiments with sulphuric ether, and that it was likely to prove all that he had anticipated, or more.

We hear nothing, however, from any other quarter of continued experiments by Dr. Jackson after that of the winter of 1841–'42. Dr. Jackson himself does not profess to have made any.

There is also a letter from D. J. Browne, who says that in 1845 Dr. Jackson stated to him that he had discovered in the vapor of pure sulphuric ether a preventive of pain in surgical operations, and that he spoke of its effects in such operations with *enthusiasm.* To both these gentlemen he made his communications in confidence, and no written statement of it appears from either of them until December, 1851, four years after the discovery was a subject of public contest, and not until after the scientific papers had been for nearly as long filled with the statements and evidence of the conflicting claimants. Without imputing any wilful aberration from truth to either of the above-named persons, your committee think it but just to remark that their evidence, so far as correct-

ness of memory is concerned, is entitled to much less weight than it would have been if given while the controversy was fresh and rife, and before full publication. There is certainly great danger that a witness who has read with feelings of partiality the mass of evidence exhibited in this controversy, and the conflicting publications of the parties and their friends, will, when he attempts to state a conversation relative to the subject, which occurred six or nine years ago, blend with his recollection of it the statements and the evidence which has been four years with it in his mind, and thus cause the one to be colored by or mistaken for the other. For reasons akin to this, the English courts of chancery will not permit a witness to be examined in a cause after publication of the evidence. And, in the opinion of your committee, this evidence weighs but as dust in the balance against the evidence growing out of the acts and omissions of Dr. Jackson, which your committee have already considered. Dr. Jackson may have told these persons all that he wrote to M. Elie de Beaumont on the 13th of November, 1846, but even this your committee think improbable. He may have repeated in his own person the speculations of Dr. Beddoes and Sir Humphrey Davy, connected with the experiments of Dr. Townsend. Dr. Wells did this, and even more. This knowledge of these speculations had become the common possession of the medical mind, a common highway. in which it was not discovery to travel. And it involves no improbability to suppose that these persons were mistaken as to the *exact statement* that Dr. Jackson made them, and that it is colored and extended in their letters.

The last deposition of Dr. N. C. Keep, laid before the former committee of the House shortly before the coming in of their report, shows what wild freaks feeling and imagination sometimes play with human memory. He testifies as follows:

"I became associated in the business and practice of dentistry with Dr. Morton on the 28th day of November, in the year 1846. On the next day we were about to prepare an advertisement for publication, when Dr. Augustus A. Gould called at our rooms. Being pressed with business, I requested him to write the advertisement, with which request he complied. After he had written it, which he did at his own house, he brought it to me, and we read it together. In it the discovery of etherization, without any suggestion having been made by me to that effect, was ascribed in explicit terms to Dr. Charles T. Jackson. Dr. Gould, pointing with his finger to the words in which this ascription was expressed, said to me 'That will please Jackson.' I then showed the advertise ment to Dr. Morton, and we read it together. He then exclaimed with emphasis, 'That is good; I like that; I'll take it to the printer.' Copies of the advertisement were made under the direction of Dr. Morton, and, as I supposed at the time, without alteration, and published by his order in three evening newspapers. On seeing the advertisement in the Evening Traveller, on the evening of the same day, I was greatly surprised to find that the words which ascribed the ether discovery to Dr. Jackson had been struck out. The next morning I called the attention of Dr. Morton to the fact, and asked him why he struck out those words. He hesitated, and seemed not to know what to say, when I said to him: 'Morton, why do you quarrel with Jackson? You injure yourself and injure the cause.' His reply was: 'I wouldn't if he would behave himself. The credit of the discovery belongs to Dr. Jackson; Jackson shall have the credit of it; I want to make money out of it.'

"I stated the foregoing facts to my family on the aforesaid evening, and afterwards to other individuals. I have heretofore declined voluntarily testifying to them, but consider that I have no right, upon a call of such a nature as is now made upon me, to withhold the testimony.

"N. C. KEEP.

"BOSTON, *February* 8, 1849."

On this the former committee remark:

"When this deposition was received, the chairman of your committee showed it to Dr. Morton, who in a few minutes brought to him a bound book entitled 'Miscellaneous Notes.' On the 91st page was a manuscript in the handwriting of Dr. A. A. Gould, written evidently on the outside sheet of a letter addressed to Dr. A. A. G., and postmarked 'Washington city, D. C., July 9,' from all which it was most manifest that this was the original draft of the advertisement testified to by Dr. Keep. This paper, contrasted with the evidence of Dr. Keep as the contents of an original draft, fixes in the minds of your committee the just value of this species of evidence. The paper is as follows:

"'The subscribers, having associated themselves in the business of dental surgery, would respectfully invite their friends to call on them at their rooms, No. 19 Tremont Row. They confidently believe that the increased facilities which their united experience will afford them of performing operations with elegance and despatch, and the additional advantage of having them performed without pain, by the use of the fluid recently invented by Doctors Jackson and Morton, will not only meet the wishes of their former patients, but secure to them additional patronage.'"

Your committee also examined the original paper, which is the subject of the above deposition, and are satisfied that it has never been altered by erasure or interlineation since it came from the hands of Dr. Gould. The entire narrative, therefore, of Dr. Keep that the paper originally conceded the whole merit of the discovery to Dr. Jackson, the conversation relating to *that*, the alteration by Dr. Morton before publication, the reproof given him by the witness, and Dr. Morton's reply, still insisting that the credit was due to Dr. Jackson, and that he should have it, is all shown to be false from beginning to end—the mere creation of an excited imagination—not an error in regard to the force of terms, as is probably the case in the two depositions considered above, but a statement which, by a fortunate reference made in it to a written paper, is proved to have no foundation whatsoever in truth.

Your committee cannot better present their views of the mass of evidence filed before the former committee of the House than by here embodying in its connexion so much of their report as relates to it. They say:

"The testimony of Don P. Wilson and J. E. Hunt, who were assistants in Dr. Morton's shop for a few months, commencing in November, 1846, is adduced to impeach the evidence of Leavitt, Spear, and Hayden, by *their* alleged declarations, and the title of Dr. Morton to the discovery, by his declarations. This is a species of testimony against which the books on evidence especially put us on our guard. It is a sweeping kind of evidence which covers everything, and if the imputed conversation be *private*, or if it be general, (as he 'often said,' or 'always said,') it is often difficult to subject the evidence to the ordinary tests of surrounding circumstances and inherent probability, so as to fix its value. There is enough, however, in these depositions to show that they are of but little weight. It is to be remembered, in the first place, that they are in direct contradiction to the testimony of Whitman, Spear, Leavitt, and Hayden, and they contradict by strong implication the testimony of Mr. Metcalf and Mr. Wightman, the character of all and each of whom is most satisfactorily vouched. The testimony of these two witnesses cannot be true, unless the first four above named entered into a conspiracy to carry a point by perjury; but, as to them, we have examined their evidence—we have tested it by its agreement with surrounding circumstances—and we are satisfied of its truth.

"This of itself would be enough to dispose of the testimony of Wilson and Hunt; but it is propor to look at the inherent character of their evidence.

"Wilson, in the commencement of his deposition, *swears*, by way of recital, that Dr. Charles T. Jackson was the discoverer of the application of ether to produce insensibility to pain in surgical operations; and, among other things,

ıe says, '*Morton first claimed the discovery to be his own,*' in February, 1847. To say nothing of the looseness and total want of caution with which the fact of the liscovery is stated—a fact of which Mr. Wilson certainly had no knowledge vhatever—he testifies directly against the recorded fact in the second particular, for Dr. Morton did *claim* the discovery as early as September 30, 1846, nd his claim was given to the world the next day in the public prints. *His* laim, and *his* alone, was known to the surgeons of the hospital during the month f October, and his public circulars and the numerous answers to them, which ıe has exhibited to the committee, show that during all that time, and at all imes, he claimed the discovery publicly and to the world as his own. The vitness goes on to say: 'In the administration of the ether I was guided by, nd solely relied upon, the advice and assurances of Dr. Jackson, received hrough Morton. *We never dared to follow Morton's own directions*—and adds hat, if they had, the consequences would probably have been fatal, and etherzation a failure. And further, that he never knew Morton '*to apply it to a vatient in the office.* This was from a most apparent fear and shunning of esponsibility.'

"Now, as to the advice and assurances of Dr. Jackson, alleged to have been eceived from time to time through Dr. Morton, we have no reason to suppose hat any such repeated intercourse and communication took place during that ime, and we have no evidence of the actual fact of any such meeting and instructions. On the contrary, there is evidence of unkind feelings existing on Dr. Jackson's part towards Dr. Morton; and, in the opinion of your committee, he testimony of Dr. Keep *indirectly* contradicts the testimony of Wilson on hat point, and *directly* upon each of the other points last named. Dr. Keep's bject, and the tendency of his evidence, is to depreciate Dr. Morton; but for 'aults the very reverse of those with which he is charged by Wilson, namely, ı '*rash recklessness,*' instead of '*a most manifest fear of responsibility,*' in ıdministering the ether; and he evidently is impressed with the belief, and lesigns to let it be known, that the success of etherization depended upon his ıkill and prudence. He says, '*it was his (Morton's) practice during that time o administer the ether* without any adequate provision for the admission of atnospheric air; *and whenever operations were performed by other persons in the ıffice,* and under his supervision, he directed the application in the same way, n consequence of which many of the operations were unsuccessful, and great listress and suffering were induced.' Dr. Keep then states that he made ample provision for the admission of atmospheric air, and advised the assistants to do the ıame thing; but 'they being influenced by his (Morton's) directions and known wishes, did not at all times follow my advice.' Not a word is said by Dr. Keep of any advice or directions coming from Dr. Jackson, which, if it had actually occurred, must have been known to him, and would have formed an important item in the current incidents of the time. The evidence of these two witnesses stand thus: They were in the office of Dr. Morton during the same 'thirty days'—Keep, the superior, Wilson, the assistant. Keep says Dr. Morton was in the habit of administering the ether in a particular manner, and that he was *rash and reckless.* Wilson says that he never administered it at all, and that he was *timid* and shrank from responsibility. But the surgeons of the hospital agree with neither one nor the other, but show that he repeatedly administered it in the hospital *himself,* to their entire satisfaction, and with entire success. Wilson says the assistants in the office would not follow the directions of Dr. Morton, but relied upon such as were brought from Dr. Jackson. Keep says nothing about instructions from Dr. Jackson, but that the assistants in the office were influenced by the directions and known wishes of Dr. Morton, so that his salutary advice and remonstrances were often of no avail. Wilson says Dr. Morton explained to him, an assistant in his office, very fully all the particulars of the discovery *and patent; but,* to Dr. Keep, his partner, he extended no such con

fidence. We leave these two depositions to be viewed in their strong contrast; and as to the testimony of Don P. Wilson, considering its inherent improbability, the suspicious nature of the species of testimony to which it belongs, the manner in which it is contradicted directly and indirectly by the evidence of Dr. Keep; and when we further consider that it is directly opposed to the evidence of Whitman, Spear, Leavitt, and Dr. Hayden, and indirectly to that of Metcalf and Wightman, and that it is also in direct conflict with numerous public printed cards and notices of the day, we feel that we cannot give it the slightest weight or consideration.

"The testimony of John E. Hunt is subject to the same objections with those of Don P. Wilson, and other objections which your committee will now proceed to notice. In order to bring out a declaration on the part of Spear, that he had never taken ether, he represents him as taking it one evening, and in the excitement produced by it seizing upon a countryman present and handling him roughly. The apology which Spear makes to the countryman is, 'this was the first time he had ever taken the ether;' not that it was the first time ether so affected him, or that the rudeness was committed under the influence of ether, but that it was the first time he had ever taken the ether—a fact which had little to do with the act of rudeness, and was a most irrelevant apology. But the inquiry thereupon made by Mr. Hunt is most remarkably inconsequent; he having heard Spear say that it was the first time he had ever taken ether, asks him if it 'ever affected him in the same way before.' Now, if he had been pressing Spear with a cross-examination in order to entrap him in some important admission, the inquiry might, perhaps, have been made; but it was then a matter of no importance whatever whether Spear had breathed the vapor of ether or not, and it becomes in the highest degree improbable that both branches of the conversation, so inconsistent with each other, actually occurred; and as the statement contradicts the testimony of so many respectable witnesses, and is in itself improbable, your committee do not feel bound to give it credence. Again, in a walk with Spear, Hunt gets from him a full disclosure of the discovery, and a statement that it belonged to Dr. Jackson. According to this, Dr. Morton got the requisite information and instructions from Dr. Jackson, came home, tried it on a woman, and it worked first rate; and he had since then continued to use it under the directions of Dr. Jackson. The evidence shows that Spear well knew that the experiment was not tried on a woman, but on a man whose certificate was read next day by hundreds in the city of Boston. But the witness evidently took this part of the story from the narrative of Don P. Wilson (whose deposition was taken on the same day) about the refractory female patient named in the conversation with Dr. Jackson on the 30th of September, who was to be cheated with atmospheric air administered from a gas-bag.

"From among the thousands with whom Dr. Morton communicated touching this discovery, during the winter of 1846 and 1847, some six or seven, with whom he had personal controversies, testify to his admissions that he was not the discoverer. They differ as to the degrees of directness and fullness with which he opened the matter to them, but it will be found, as your committee believe, to be a rule in this case, having no exception, that the more violent the hostility of the individual the more fiercely he assailed Dr. Morton's patent, the more free Morton became in his communication, and the more fully did he unbosom himself; and his statements always went directly to defeat his own claims and support the defence of the opponent to whom he made it. For example, H. S. Payne says 'that, in the early part of December, 1846, he commenced applying the vapor of ether to produce insensibility to pain in surgical operations. This was after I had heard of the discovery of the preparation by Charles T. Jackson, of the city of Boston.' He then states that Dr. Clarke purchased of Dr. Morton a right, under the patent, for Rensselaer and several adjoining counties, who sold to Dr. Bordell; and Dr. Payne was notified by Dr.

Blake, as the agent of Dr. Morton, to abandon the use of ether in his practice. After failing in an attempt at negotiation with Dr. Bordell he went to Boston and had an interview with Dr. Morton, who not once only, but repeatedly, declared that Dr. Jackson was the sole discoverer; 'that all the knowledge he possessed in relation to its properties and application came from Dr. Jackson, and that he never had any idea of applying sulphuric ether, or that sulphuric ether could be applied for the aforesaid purposes until Dr. Jackson had suggested it to him, and had given him full instructions.' This most frank communication raises at once a difficulty about the patent, which is obviously void if that statement be true; and Dr. Morton attempts to remove it by saying 'that he had been very fortunate in effecting an arrangement with Dr. Jackson before any one else had the opportunity, and that he was the first man to whom Dr. Jackson communicated the discovery.' And he adds: 'Dr. Morton again and again said that he was not in any way the discoverer of the new application of ether, but that the idea had been first communicated to him by Dr. Jackson, who was its discoverer, and that his (Dr. Morton's) interest in the patent was merely a purchased one; and, moreover, that he was very lucky in anticipating all other persons by first receiving so precious a discovery from the lips of Dr. Jackson.'

"After seeing the fullness and unreserved character of this important conversation, and the apparent earnestness with which Dr. Morton attempts to impress the fact that he had no participation whatever in the discovery, not satisfied with suffering it to escape him inadvertently or even stating it once, but repeating it 'again' and 'again,' as if he were anxious to impress it, one could not but be surprised to know that Dr. Payne, before this conversation, had pirated this discovery, had set up for himself, bade defiance to Dr. Morton and his assignees, and on his return home published a card, in which he by no means denies that Dr. Morton discovered the thing which he and his assignees are using, but averring that his (Dr. Payne's) anodyne vapor, which in his affidavit he admits to be sulphuric ether, 'is not the invention of the great Dr. Morton, but an entirely superior article, and all persons must beware how they infringe on his rights.' And the more especially is it surprising when we reflect that this state of facts, which Dr. Morton took such unusual pains to repeat and to impress upon this his most determined opponent, would, if true, render the patent wholly void in his hands, and put his discovery entirely in the power of Dr. Payne and all others who should see fit to avail themselves of it. There can be no absolute proof that Dr. Morton did not make these statements, but it is clear that it was against his interest to make them; and there is also full proof that they are not true, and that they are in direct opposition to his numerous printed and published statements. They are not true; for, besides the six witnesses who testify directly or indirectly to the discovery in its inception and progress, it distinctly conflicts with the conversation of the parties and their mutual understanding on the 26th and 27th of October, as testified to by R. H. Eddy. It is in direct conflict with the claim promulgated by Dr. Morton, and received and accredited by the scientific gentlemen in the medical hospital who performed the operations testing the efficacy of the discovery.

"Dr. Warren says:

"'BOSTON, *January* 6, 1847.

"'I hereby declare and certify, to the best of my knowledge and recollection, that I never heard of the use of sulphuric ether by inhalation, as a means of preventing the pains in surgical operations, until it was suggested by Dr. W. T. G. Morton in the latter part of October, 1846.'

"Since the above date the whole surgical staff of the hospital have testified to the same effect.

"And alike opposed to all the numerous printed circulars which Dr. Morton and his agents had distributed and were then distributing in every part of the United States. It appears that prior to this date Dr. Morton's attention had been called to an opposing claim to the discovery, and to the experiments at the hospital, and he had taken a decided public stand against them, as witness his circular published the 20th day of November, 1846, and the note thereto attached:

"'*Dental operations without pain.*

"'BOSTON, *November* 20, 1846.

"'Dr. Morton has made a great improvement in dental and surgical operations, for which letters patent have been granted by the government of the United States, and to secure which measures have been taken in foreign nations.

"'Having completed the necessary preparations for the purpose, and greatly enlarged his establishment, Dr. Morton respectfully announces to his friends and the public that he is now ready to afford every accommodation to persons requiring dental operations.

"'His assistants and apartments are so numerous, and his entire arrangements on so superior a scale, that immediate and the best attention can be given to every case and in every branch of his profession.

"'The success of this improvement has exceeded the most sanguine expectations, not only of himself and patients, but of the very skilful and distinguished surgeons who have performed operations with it at the Massachusetts General Hospital, and other places in Boston, or witnessed its use at his office, rooms No. 19 Tremont row.

"'*** Inasmuch as one or two persons have presumed to advertise my improvement as their own, and even issued notices to the effect that the applications of it at the hospital were made by them, and that the certificates of its efficacy and value were given to them by the surgeons of that institution, I feel it my duty to warn the public against such false and unwarrantable statements, and at the same time to caution all persons against making, aiding, or abetting in any infringement of my rights, if they would avoid the trouble and cost of prosecutions and damages at law.'

"And your committee do not think it credible that Dr. Morton, resting his claims to the discovery on the grounds which he did—having a most decided public opinion at home in his favor as the discoverer, having freshly tasted of the intoxicating draught of fame, and recently, in the public papers and in circulars, asserted his authorship of the discovery and defied his rivals—they do not think it credible that he should seize the first occasion which offered, in conversation with a most determined opponent, to declare the falsehood of all that he had written, published, and claimed—to disclaim the honor which the world so generally and freely accorded to him—confess away all his pecuniary rights under the patent; and even support his surrender, disclaimer, and sacrifice by a self-debasing assertion which he well knew was false. The improbability is too strong to allow it credit.

"But Dr. Payne says that in the early part of December, 1846, he commenced his operations with sulphuric ether, and that this was after he had heard of the discovery of Dr. Charles T. Jackson, of Boston. How he heard of the discovery of Dr. Jackson he does not say; surely not by the information of the scientific men of Boston, for they attributed the discovery to Dr. Morton; not by the public prints, cards, and advertisements, for the name of Dr. Morton alone appeared there; and he says, in conclusion, that he was very much astonished in learning, some time after his visit to Boston, that Dr. Morton 'asserted any claim whatever' to the discovery, and this, after the publication and circulation of the notices, cards, and circulars of Dr. Morton, and after the witness

had long been engaged in an embittered contest with Dr. Morton and his assignees, and the publication of his (Dr. Payne's) card.*

"Dr. Allen Clarke, who also testifies to admissions by Dr. Morton, but much less strongly than Dr. Payne, and whose statement may well be the result of a misunderstanding, made the more decided by hostility to Dr. Morton, and a desire to defeat his patent, was the purchaser of a right, for which he gave his note for $350. He at length determined not to pay the note, but to join in contesting the patent, and he expresses the opinion that, by keeping up the controversy for one year, the patent would be broken down. Dr. Blaisdell says: 'Clarke would not pay you, for he could get the use of the letheon for one year before you could get the license from them, and by that time they could ruin the sale of it there;' and he might well have added, and with it the discoverer; a very common fortune to men who render the most important services to their race.

"Time, and the reasonable limits of a report, will not allow your committee to dwell upon the few remaining items of kindred testimony. The weight and strength of them have been considered; and the residue, like them, are composed of alleged statements by Dr. Morton to persons with whom he then had, or has since had, personal controversies touching his discovery, and they are all in contradiction to the claims which Dr. Morton daily promulgated in print to the world. Those printed papers are, as your committee conceive. the best evidence of what Dr. Morton all that time claimed, and what he conceded; they are of the time and of the transaction; they do not admit of misstatement, misconstruction, or falsification; they are of unvarying and exact memory; and they speak the language of undoubted truth as to the *claims*, though not as to the *rights* of the author. His claims, contemporaneous with these papers, are what these witnesses attack. His *rights* we have already considered; and, as to the evidence of his *claims*, that which he insisted and said was his, the published papers stand against the testimony of these witnesses, as written or printed evidence against parol. His alleged confessions, made under the most improbable circumstances, are in direct contradiction to his printed circulars, daily and contemporaneously promulgated to the world. If, then, these alleged parol admissions stood against the printed and published papers, without anything beside to add strength to either, we could not, in our conscience, in weighing the conduct of men by rational probabilities, hesitate to give the decided preponderance to the printed over the parol evidence. But the parol evidence runs counter to all the leading facts in the case heretofore considered and established in the opinion of your committee, by the most indubitable proof, while the printed circulars and notices entirely agree with them, and make with them one uniform and consistent whole. The objects of the parties, their claims, their efforts, their purposes appear the same throughout. The deposition of A. Blaisdell is, however, worthy of especial comment. At the time he professes to have had the conversation in which Dr. Morton accords all the merit of the discovery to Dr. Jackson, he was the agent of Dr. Morton, spreading his circulars throughout the land; had taken care to send one of them to each and every surgeon dentist in New York; and yet now declares that he was especially

* "NOTICE.—Dr. Payne has just returned from Boston, and has only time now to give notice to his friends and the public that in a day or two he will be able to show to the public that the anodyne vapor which he has used is not the invention of the great Dr. Morton, but an entirely superior article, and *that he shall continue to use it.* And all persons must beware how they intringe on his rights." Extract of a letter of Mr. E. Filley, attorney of Dr A. Clarke, of Lansingburg, New York, to Dr. Morton's attorney of Boston: "As one Dr. H. J. Payne, dentist of the city of Troy, persists in the use of the apparatus and gas, and proclaims defiance to Dr. Morton and any of his assigns, Dr. Clarke is completely thwarted in his enjoyment of the rights secured to him by Dr. Morton. The conduct of Dr. Payne is particularly annoying."

charged with the information which he takes care to inculcate, that these circulars were all false in the most material point, and that the patent which he is selling is void by reason of that falsehood.* He was at the same time in habits of almost daily correspondence with Dr. Morton; and the difficulties which he met with occurred while he was absent, and it would most naturally have suggested itself to him to communicate them to Dr. Morton by letter, and in that way get his assent to obviate them by declaring Dr. Jackson the *sole discoverer*. But he does not do so; if he had, his letter and Dr. Morton's answer would have been in writing; and, then, if there truth were in the statement of those alleged admissions, there would have been one item of written evidence to support them. But this is wholly wanting. Blaisdell professes to have waited till his return to Boston, and then to have held a private conversation with Dr. Morton, who at once and eagerly admitted away his *whole claim*, both to money and reputation.

"It is remarkable that, in more than three months, during all which time these witnesses say Dr. Morton conceded to Dr. Jackson to merit of being the 'sole discoverer,' during all which time he was daily writing and almost daily publishing, there is not produced one line written by Dr. Morton, or written to him, countenancing the idea; nor is there one act of his which looks to such admission. A written admission, or an ambiguous paragraph in writing, which could be fairly construed into an admission, or a letter written *to him* during that time, which could be reasonably construed to refer to such admission, would be tenfold the value of all the parol testimony now presented of those admissions. Dr. Morton has shown to the committee several bound volumes of letters addressed to him upon this subject, all of which recognize him as the discoverer. Viewing these statements in this point of light, comparing them with the printed and published papers,† in which Dr. Morton contemporaneously and continually asserted his claims to the discovery, and finding them opposed, as they are, to the well-settled facts of the case already considered, they weigh, in our opinion, as dust in the balance, and in nowise affect the well-settled facts of the case." ‡

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* *Extract from A Blaisdell's letter to Dr. Morton, dated New York, December* 29, 1846.—"I am sending one of your circulars to every dentist in New York."

New York, December 31, 1846.—"I have sent a circular to every dentist in New York city, and written on the cover where I am to be found."

In a letter from Pittsburg, dated February 1, 1847, he writes: "I gave him a few circulars to give his neighbors." Remarks to the same effect occur in other letters.

October 26, 1846.—"Dr. Morton has discovered a compound, by inhaling which a person is thrown into a sound sleep, and rendered insensible to pain," &c.

† "To THE PUBLIC.—Dr. Morton, surgeon dentist, No. 19 Tremont row, Boston, hereby gives public notice that letters patent have been granted him by the government of the United States for his improvement, whereby pain may be prevented in dental and surgical operations."—(Boston Evening Transcript, November 20, 1846.)

"IMPORTANT INFORMATION FOR THE PUBLIC AT LARGE.—I do hereby give this public notice, and warn all persons against using my invention." "I am particularly desirous that my invention should not be abused or intrusted to ignorant or improper hands, or applied to nefarious purposes." "New York Express, Baltimore Patriot, United States (Philadelphia) Gazette, will please insert the above twice every week for four weeks, and send their bills to this office."—(In same paper, December 4, 1846.)

‡ In answer to a communication by Dr. J. F. Flagg, in which he threatens to take possession of the invention, and in which he attributes the credit of it, if there was any, to Dr. C. T. Jackson, Dr. Morton says: "Unless he can show—and I do not know anybody else that can—that (to use his own words) it has been known and published for some years that the vapor of sulphuric ether would produce the visible effects now said to be discovered, then the invention is original."—(Boston Evening Transcript, December 10, 1846.)

In a letter from Dr. Wells (Boston Post, April, 1847,) he makes the following extract from Dr. Morton's letter to him in the early part of October, 1846: "The letter which is thus introduced with my signature was written in answer to one which I received from Dr. Morton, who represented to me that he had discovered a compound."

"It may be irrelevant to remark that there is not, in all this mass of depositions and letters, any contemporaneous written paper supporting Dr. Jackson's claim to the discovery, or impugning Dr. Morton's—all is parol. Declarations made by Dr. Jackson asserting the claim, and declarations made by Dr. Morton, even in the heat of the controversy, to his most violent enemies, abandoning his claims and surrendering them to Dr. Jackson. But no written paper sustaining either. And where in two instances the statement of Dr. Jackson touches a paper written or signed by himself, he repudiates them as false, and as obtained by circumvention and fraud; because, if true, they disprove his claim. And in the instances in which the testimony of his witnesses, testifying to the admissions and abandonment of Dr. Morton, can be directly tested by written papers, they are thereby in every instance proved to be false. Your committee consider that species of parol evidence, made up of alleged declarations of the parties merely, unsupported by a single written paper, but contradicted by everything in writing which they touch, entitled to no weight whatever, against the well known and fully admitted acts of the parties in this case.

Of Dr. Jackson's acts, while the surgeons of the principal curative institution in New England—the Massachusetts General Hospital—were applying the critical test to a discovery which he now claims as his own, the committee have before them new evidence in the following letter, upon which they forbear to comment further than to remark how decidedly it confirms the conclusions at which they have already arrived.

Dr. Henry J. Bigelow, professor in Harvard University, and surgeon in the Massachusetts General Hospital, in answer to a letter of the Hon. George T. Davis, says:

"BOSTON, *February* 5, 1852.

"DEAR SIR: I beg to acknowledge the receipt of your letter, dated January 21, addressed to Dr. Hayward, Dr. Townsend, and myself, and containing the following extract from a written remonstrance of Dr. Charles T. Jackson, which has been laid before a committee of the House of Representatives:

"'The cause of asphyxia, so commonly produced in the early administration of ether at the Massachusetts General Hospital, I traced directly to the employment of those valved inhalers. In the weakened state of respiratory action, under anæsthetic agents, the valves are not raised in attempts to breathe, and the patient is drowned by the pure ether or chloroform vapor. On the removal of the valve by my directions, asphyxia at once ceased to occur at the hospital, and I had no occasion to employ the oxygen gas to revive the patients, as I was requested to do by one of the eminent surgeons of that institution; for no asphyxia happened after my advice was followed, to throw aside the inhalers and use the sponge.'

"In detailing as you request 'a precise recollection of facts upon these points so far as they fell under my personal observation,' I may say that, to the best of my knowledge, being very familiar with those early experiments at the hospital, generally administering the ether myself:

"1st. There was no more asphyxia then from ether than there is now.

"2d. There was certainly no period at which asphyxia at once ceased to occur at the hospital.

"3d. This alleged asphyxia had little or no connexion with any valves.

"4th. I never heard that any valves were suppressed, nor that Dr. Jackson suppressed them.

"5th. Asphyxia, as it then occurred, was of no great importance, and was dependent upon the same causes which sometimes produce it now.

"6th. When Dr. Jackson brought oxygen gas to the hospital nobody required

it; it was not used, nor has it been, to my knowledge, anywhere since used in this connexion.

"In reply to your inquiry how far Dr. Jackson personally superintended the early administration of ether at the hospital, I answer *not at all*. He not only exercised no superintendence at the hospital, assumed no responsibility, but actually did not come there for more than two months after ether was regularly in use in that institution.*

"I will venture to allude to another point, which is of no importance to anybody but myself. Yet it directly concerns me, and I should be glad of an opportunity to refer to it, in order to refute certain statements of Dr. Jackson. In a part of his 'remonstrance,' Dr. Jackson uses, as I am informed, the following words:

"'The few medical gentlemen, or young surgeons, connected with the hospital, who have not fully recognized my rights in this discovery, are, I lament to say it, anxious to obtain a larger share of the glory than rightfully belongs to them; and one of them† * * * * * * *

"'Dr. H. J. Bigelow very distinctly claims the honor of being the first to promulgate this great discovery, the first to make the profession acquainted with it, he having stealthily published my discovery before I was ready to lay it before the public, and while I was temporarily absent from the city, by reading an account of it before two societies of which I was and am now a member—the Boston Society for Medical Improvement and the American Academy of Arts and Sciences—and afterwards published his paper in the Boston Medical and Surgical Journal, against my solemn protest and denunciation of it as false, unjust, and quackish. In that paper, a copy of the Journal containing which I send to you, please observe that the nature of the agent used is carefully concealed, and hence it is a mere quack advertisement.'

"The paper above alluded to was the first paper upon the newly-discovered effects of ether. It was intended by Dr. Morton, and did happen to be the instrument by which the discovery was announced to the profession and the world at large, both in this country, where it was attacked by the incredulous, and in Europe, where it was widely reprinted.

"This paper,‡ to quote a contemporary publication, was intended to be a narration of physiological facts observed by myself, with a few concluding remarks connected with the patent right. It was published more than five years ago, and those objections of Dr. Jackson's are now to me altogether new, and I believe they are also new to everybody else.

"It will only be necessary to state, in reply: 1st. That Dr. Jackson could not at that time, for the want of the requisite facts, have himself written this physiological paper. In fact, that nothing but his present assertion shows that he had either the intention or desire to do it, and that there was no reason whatever to consult him either in reading or writing the paper, or to suppose that he wished to be consulted.

"2d. That he read the paper before it was printed, and assented to its publication in print.

"1. One thing is very striking, Dr. Jackson never saw a single surgical or dental operation with ether until long after it was a confirmed discovery, and until weeks, if not months, after this paper was printed. As this paper was an account of the new physiological effects of ether, observed in Dr. Morton's and other experiments, Dr. Jackson, who saw none of these experiments, would have been unable to have made any communication to a society upon this point, even if he had wished to, for the simple reason that for two months he had not

* See Dr. Townsend, p. 355.

† A part of the argument here is a little loose and is omitted.

‡ Boston Medical and Surgical Journal, December, 1846.

the requisite materials, but nobody will now believe that he wished to make any such communication; he had, according to his own statement, kept the matter from the public for years, and we may reasonably infer that he would have done so till this day, if the disclosure had been left to him. And it is well known that he kept aloof for a long time from any public connexion with Dr. Morton or with ether, while physiological papers were written by the dozen by other people, without any objection on his part.

"I should have been certainly most happy to have consulted Dr. Jackson had I any idea that, as he now pretends, he desired it; but even if I had done so, it is plain that he could have given me no information upon the subject which was under investigation, for he had no control whatever over Dr. Morton's experiments; he had never seen them, nor had he any authority to make use of them if he had seen them. The paper alluded to was not designed to promulgate old theory nor the suspicions of two years' standing, which Dr. Jackson claims, but new facts, and for these I applied to Dr. Morton. *He instituted the experiments; he had their sole control; he took the responsibility of them, while Dr. Jackson kept out of the way.*

"The application of ether for anæsthetic purposes was at that time supposed by everybody to be wholly in the hands of Dr. Morton. Dr. Morton, through the intervention of a friend of his, who was also a friend of my own, allowed me to take notes of these experiments for publication, and, as far as I know, I was the first person not connected with Dr. Morton's office, except Dr. Gould, who saw these experiments.

"As to Dr. Jackson's knowledge of the cases at the hospital, which are also detailed in my paper, Dr. Jackson did not come there till January 2, of the year after they occurred.

"2. When this paper was to be printed, a new element was to be introduced into it at the request of Dr. Morton; the question of patent, a delicate subject already mooted by the interested parties, and about which it was obviously proper that Dr. Jackson, who was interested in it, should be consulted. Though he might not care who prosecuted or announced the physiological experiments, the matter of patent was plainly a different question.

"I therefore sought an interview with Dr. Jackson, at his house, several times. Failing to find him, I left for him a verbal request that he would be present at a final conference at the house of Dr. Gould, where the paper was to be finally considered and adjusted before being printed, especially the few closing paragraphs, then for the first time appended to it, and relating to the question of patent.

"During this conference the door was flung open, and Dr. Jackson entered, declaiming vociferously. He was quietly asked what might be the occasion of his excitement, and was requested to read the paper then upon the table and under discussion, and to see whether he did or did not approve it. Dr. Jackson examined the paper, and finding it to be of a strictly physiological character, touching very lightly the questions of patent and of discovery, he changed his tone, ceased to object, requested one or more alterations of the part bearing upon these latter questions, especially the suppression of a paper relating to the electric telegraph, *and assented to the publication of the paper.*

"This took place at the house of Dr. Gould, in Tremont street, on Sunday evening, three days before the publication referred to, and in the presence of Dr. Gould, Mr. Eddy, and Dr. Morton. Dr. Jackson assented to the publication of the paper as it then stood, and the conference was amicably terminated.

"This statement, together with the accompanying letters of Dr. Gould and Mr. Eddy, stating their recollection of the facts, may be compared with the above extract from Dr. Jackson's remonstrance.

"I have the honor to be, very respectfully, your obedient servant,

"HENRY J. BIGELOW."

Dr. Jackson, in his letter to Baron Von Humboldt, says:

"I at once appealed to the public, destroyed the bond given me by Mr. Morton, and made the use of ether in surgical operations free to all mankind."

The transaction of *destroying the bond* is somewhat ludicrous.

On the morning of the 26th May, 1847, more than five months after the patent had been taken out, after it had for some time become unavailable, and Dr. Morton had lost a good deal of money by it, Dr. Gay called at Dr. Morton's office, with a young gentleman in his company, and somewhat dramatically cancelled the bond. This was the bond that secured to Dr. Jackson ten per cent. on the net profits of the American patent. On the same day the anniversary of the Massachusetts Medical Society took place, and at the dinner, in the afternoon, Dr. Jackson made a speech, in which he claimed to have been entirely disinterested in his connexion with the discovery, and said he had destroyed the bond. He did not say that he had destroyed it that morning, just in season for the speech, but we are permitted to infer that it was destroyed at a time when it had some value.

The inconsistency between these late claims for disinterestedness on the part of Dr. Jackson, and his unremitted efforts to obtain the utmost possible pecuniary advantage from the discovery, so long as there was any chance of its being profitable, is apparent to all.

So long as the discovery was under test, and its result was uncertain, Dr. Jackson is unseen and unheard. When it became evident, from the two experiments at the hospital, that the discovery was of value, at the close of October, Dr. Jackson first appears, and then only for the purpose of claiming compensation of Dr. Morton for professional advice. He accepts five hundred dollars. His friend obtains for him ten per cent. of the net profits of the American patent. He next refuses to sign the European papers without receiving ten per cent. on the foreign patents. From this he rises to twenty per cent., and on the 28th of January he claims "twenty-five per cent. both at home and abroad, as the least that in justice" can be offered him; and his counsel, of course with his sanction, speaks of the patent as one which, "if sustained, promises to give to all parties large sums of money for their united co-operation." He opens negotiations with Dr. Morton, through Mr. Hayes, for obtaining a joint patent in France, by the instrumentality of M. de Beaumont, whose letters to Dr. Jackson on this point were shown to Dr. Morton. After all hope of pecuniary benefit from the patent is at an end, he cancels the bond, and with a strange forgetfulness of all his previous conduct, comes out in the character of one who disdains pecuniary compensation. Not only so, but he seems determined that Dr. Morton shall receive no compensation. On the 20th November, 1847, the physicians and surgeons of the hospital (with one exception) prepared a memorial to Congress, setting forth the importance of this discovery, and praying the government to make a payment "to those persons who shall be found, on investigation, to merit compensation," on condition that the patent be given up. Knowing that this would result in an official inquiry into the discovery, Dr. Morton promoted it to the utmost of his power. Dr. Jackson, on the other hand, remonstrated against it, on the professed ground that he would submit his claims to no tribunal, and that, as the sole discoverer, he wished no reward beyond the gratitude of mankind.

It is well known that an effort was made in London, by subscription, for a donation to the discoverer of the effects of ether. By letters to gentlemen in this country from friends in London, we are informed that a sum, estimated at £10,000, was considered as secured; but the controversy and doubt created by Dr. Jackson's communications to the French Academy caused it to be abandoned.

Dr. Jackson speaks of Dr. Morton in terms of great bitterness. He assails sih private character, declaring that it is infamous, and that in knowledge and

intellect he is an ignoramus and an imbecile, not only not possessed of science, but mentally incapable of acquiring it; and that, while administering his anæsthetic vapor to the patients at the hospital, he was offensive to the faculty by reason of ignorance and quackery. Much of his letter to Baron Von Humboldt, which he filed before the committee of 1852 as his answer, for this reason would not be suffered to remain on the files of a court of chancery, but would be stricken out for scandal and impertinence. Your committee utterly refused, as stated above, to receive evidence of general character, or of particular accusation or defence for or against either of the parties not relevant to the issue; but as the charges advanced by Dr. Jackson against Dr. Morton in the letter above must remain on the files of the House and be printed with the proceedings of the committee, they deem it but just to say that these charges are not only not supported by, but are utterly inconsistent with, the current proofs in this case.

The evidence presented with Dr. Wells's claim shows that dental operations were in several instances performed without pain by Dr. Wells under the influence of nitrous oxide, which had been before known in some cases to produce a total or partial asphyxia. It appears also that the vapor of sulphuric ether was thought of, discussed, and finally rejected by him; while the total abandonment of the use of nitrous oxide, and indeed of every other agent, shows that Dr. Wells's experiments were, on the whole, unsuccessful. He engaged in the search, and failed to find the object of his pursuit. He attempted and endeavored assiduously to carry out the idea to practical results, but was not successful. There was great merit in the effort, but it proved a failure.

Dr. Wells, therefore, in the opinion of your committee, is not entitled to the honor of the discovery. He stopped half-way in the pursuit. He had the great idea of producing insensibility to pain, but he did not verify it by successful experiments. He mistook the means, and he unfortunately rejected the true anæsthetic agent as dangerous to life, and therefore did not make the discovery and give it to mankind. He did what Dr. Beddoes, Sir Humphrey Davy, and Dr. Townsend had done about the close of the last century, but nothing more.

But he had the signal merit of reviving the investigation, and, probably, of hastening the discovery. If an idea connected with the subject lay dormant in the mind of any one, his attempt was well calculated to awaken it into life. When, in the fall of 1844, he made his public attempt, in Boston, to produce anæsthesia during a dental operation, by the use of nitrous oxide, if Dr. Jackson had indeed made and perfected this discovery, and felt an abiding confidence in its truth, who can doubt that he would have availed himself of that occasion, or have been reminded by it, to make for himself another, at an early day, of publicly exhibiting and testing the true anæsthetic agent?

The question of discovery, which your committee has thus endeavored to examine, was every way proper to be tried and settled by intelligent men, as a jury of the vicinage, which was proposed by Dr. Morton and refused by Dr. Jackson. But it was finally tried by a most appropriate tribunal, the trustees of the Massachusetts General Hospital, at which the first public exhibition of this pain-destroying power was made, and where its effects were first witnessed by an admiring audience. The question of discovery was tried before these men—trustees of a scientific corporation, to whom Dr. Jackson was well known as a distinguished member of the medical faculty, and to whom Dr. Morton, prior to the discovery, and the contest to which it led, was known only as a young man of energy and enterprise. And this board, composed of men whose names would do honor to any scientific institution, presently after the discovery, near the time and at the place where it occurred, gave, by a unanimous voice, its honor to Dr. Morton. One year after they reviewed their decision, at the

request of Dr. Jackson, and unanimously confirmed it. In this connexion your committee deem it proper to introduce a letter from the honorable Secretary of State.

"WASHINGTON, *December* 20, 1851.

"DEAR SIR: In reply to your letter of the 17th instant, I would say that, having been called on, on a previous occasion, to examine the question of the discovery of the application of ether in surgical operations, I then formed the opinion which I have since seen no reason to change, that the merit of that great discovery belonged to you, and I had supposed that the reports of the trustees of the hospital and the committee of the House of Representatives of the United States were conclusive on this point.

"The gentlemen connected with the hospital are well known to me as of the highest character, and they possessed, at the time of the investigation, every facility for ascertaining all the facts in the case.

"The committee of the House were, I believe unanimous in awarding to you the merit of having made the first practical application of ether, and a majority, by their report, awarded to you the entire credit of the discovery.

"Very respectfully, your obedient servant,

"DANIEL WEBSTER.

"Dr. W. T. G. MORTON."

Before this tribunal neither time, place, nor circumstance permitted bold and confident assertion to be mistaken for truth. With this award we think Dr. Jackson, Dr. Wells, and the scientific world should have been satisfied. It is, in the opinion of your committee, entitled to great weight. It was the *first*, and ought to have been the *only* contest. Our enlightened system of jurisprudence forbids, except under extraordinary circumstances, *a second trial of questions of fact.* It forbids it as a guard against the danger incident to repeated investigations, that truth will be overborne by artfully manufactured evidence.

Therefore, even if the evidence before your committee rendered the question of fact doubtful, which it does not, they would hesitate long before they would overrule the decision of the trustees of the Massachusetts General Hospital.

It is also a subject of much gratification to this committee to be able to concur in the opinion of the former committees of the House, from whose very able reports they have extracted so largely. They did not, however, feel themselves bound by either the one or the other, but gave the subject for themselves a full and careful consideration. But they are the more satisfied with the conclusions to which they have come because of their concurrence with such high and unexceptionable authorities.

Dr. Jackson appeals to the Academy of Arts and Sciences at Paris, and claims that that learned body has decided the question of discovery in his favor by awarding him the "Monthyon prize for the greatest medical discovery," and that their decision ought to be taken as final and conclusive.

Your committee, for obvious reasons, would at once bow to the decision of that very learned society (the centre and soul of scientific knowledge in Europe) as to the fact of discovery, and that the honor of the discovery belonged to America, and also as to its merit and value among the discoveries of the age. But on the question, *Who was the discoverer?* their decision, if they made one, is entitled to much less weight. They are remote from the scene—had no means, at an early day, of possessing themselves of the evidence—and we have already seen how the minds of the members of the academy were pre-occupied by Dr. Jackson's sealed letter of November 13, 1846, and his letter of December 1, directing the seal of the former letter to be broken. The temporary secrecy,

with the form and circumstance of the disclosure, together with his European reputation for science, were, in the absence of any conflicting evidence or claim, well calculated to make a first impression in his favor.

But the Academy of Arts and Sciences at Paris did not, as it appears, award to Dr. Jackson the honor of the discovery, either directly or indirectly, by awarding him "*the Monthyon prize for the greatest medical discovery.*" Your committee have inspected the official awardments exhibited by the parties, and find that the award to Dr. Jackson was "*one of the prizes* of medicine and surgery of the Monthyon foundation." And M. Alexander Vattemare, in his letter to Dr. Morton, gives an extract from the formal decision made by that learned body, "between these two celebrated contestants," as follows:

"Mr. Jackson and Mr. Morton were necessary to each other. Without the earnestness, *the preconceived idea*, the courage, not to say the audacity of the latter, the fact observed by Mr. Jackson might have long remained unapplied; and but for the fact observed by Mr. Jackson, the idea of Mr. Morton might perhaps have been sterile and ineffectual" "Consequently, (he proceeds,) there has been awarded a prize of two thousand five hundred francs to Mr. Jackson for his observations and experiments upon the anæsthetic effects of sulphuric ether, and another of two thousand five hundred francs likewise to Mr. Morton, for having introduced the method in surgical practice after the indications of Mr. Jackson."

Dr. Morton has, within a few days, received the expression of the academy in the more acceptable form of their largest gold medal. The prize awarded to him, as above stated, being of an amount not absorbed by the medal, has been appropriately used in enclosing it in a suitable golden frame. On the one side of the medal, in addition to the name of the institute, is a medallion head of the Goddess of Liberty. On the reverse, surrounded by a wreath of laurel, is engraved—

"Académie des Sciences. Prix Monthyon, Medicine et Chirurgie, Concours de 1847 et 1848. Wm. T. G. Morton, 1850."

Upon a full examination of the whole case so far as time and means were afforded to your committee, they have come to the conclusion:

1st. That Dr. Horace Wells did not make any discovery of the anæsthetic properties of the vapor of sulphuric ether, which he himself considered reliable, and which he thought proper to give to the world. That his experiments were confined to nitrous oxide, but did not show it to be an efficient and reliable anæsthetic agent, proper to be used in surgical operations and in obstetrical cases.

For the rest your committee have come to the same conclusions that were arrived at by the trustees of the Massachusetts General Hospital at their meeting in January, 1848, and reconsidered and confirmed in 1849, and adopted by the former committee of the House, viz:

2d. That Doctor Jackson does not appear at any time to have made any discovery in regard to ether which was not in print in Great Britain some years before.

3d. That Doctor Morton, in 1846, discovered the facts before unknown, that ether would prevent the pain of surgical operations, and that it might be given in sufficient quantity to effect this purpose, without danger to life. He first established these facts by numerous operations on teeth, and afterwards induced the surgeons of the hospital to demonstrate its general applicability and importance in capital operations.

4th. That Doctor Jackson appears to have had the belief that a power in ether to prevent pain in dental operations would be discovered. He advised various persons to attempt the discovery, but neither they nor he took any measures to that end, and the world remained in entire ignorance of both the power and safety of ether until Doctor Morton made his experiments.

5th. That the whole agency of Doctor Jackson in the matter appears to consist only in his having made certain suggestions, which aided Doctor Morton to make the discovery—a discovery which had for some time been the object of his labors and researches.

Though it was but "a single step, and that a short one," from the daily walks of science to this great discovery, yet the scientific world admits that the step was never taken prior to the 30th of September, 1846; and the discovery, when in fact made, was instantly appreciated and hailed by the surgical profession with the most exalted enthusiasm, almost with shouts of rapture. The committee have thought proper to annex the following extracts from the records of the Patent Office:

"I have therefore, in consideration of one dollar, to me in hand paid, the receipt whereof I do hereby acknowledge, assigned, set over, and conveyed, and by these presents do assign, set over, and convey to the said Morton and his legal representatives, all the right, title, and interest whatever which I possessed in the said invention or discovery, a specification of which I have this day signed and executed in conjunction with him, for the purpose of enabling him to procure a patent thereon.

"And I do hereby request the Commissioner of Patents to issue the patent to the said Morton *in his name*, and as my assignee or legal representative, to the extent of all my right, title, and interest whatever in the said invention or discovery.

"In testimony whereof, I have hereto set my signature and affixed my seal this twenty-seventh day of October, one thousand eight hundred and forty-six.

"CHARLES T. JACKSON.

"Witness: R. H. EDDY."

Your committee cannot better conclude their report than by introducing the following extract from "ether and chloroform," by Henry J. Bigelow, professor of surgery in the Massachusetts Medical College, a member of the American Academy of Arts and Sciences, the Boston Society of Medical Improvement, an honorary member of the Anatomical Society of Paris, corresponding member of Biological Society of Paris, and others:

"An impartial consideration of the question, 'Who was the discoverer of ether insensibility to the pain of surgical operations?' will be best attained by a previous consideration of the abstract question of discovery; reserving for its conclusion a special application of the principles illustrated by it to this special subject.

"Why was the discovery not made before? Why did no one discern the value of the exhilarating agent which had attracted the attention of so many?

"Because the human mind is fettered by long custom. It runs in the channels of routine. First diverted from its course by some little obstacle, its current swells and deepens, bearing down solid opposition that it may roll tranquilly in its distorted bed. Watch the tide of human footsteps, guided by the mind of successive generations. The pathway turns here and there to avoid some little inequality, and the old man and the child follow the winding track. Mind follows where mind has been Few turn aside to analyze the difficulties which discouraged others. That a thing has not been, is, to most men, perhaps justly, a reason why it will not be; and here is the office of philosophic incredulity which doubts the track of custom.

"It is quite obvious that such incredulity may emanate from widely differing sources. It often grows out of depth and originality of intellect; of capacity which takes a wide and general view, discovering imperfection in mode or in material.

"On the other hand, as he who is ignorant of a path may make the shortest

route from point to point, so one who is not familiar with the erroneous conclusions of previous knowledge may first trace a true result. In such a case ignorance of error is an accidental vantage ground, which places its man considerably nearer truth than that occupied by prejudice based upon error.

"I hold that such incredulity, whether of knowledge or of ignorance, is likely to indicate a philosophic mind. It proposes to think for itself. Its experience of the world has shown it that the world may be wrong. Its experience of its own abilities has taught it to respect itself. For example, Whitney was said to form his decisions, not after the model of common opinion, but by his own nicely-balanced judgment. Perhaps in some details, humble though they be, such a mind has seen the defect of others' judgment, and has had cause to prefer its own results; and, thus instructed, turns to a new subject, determined to win its own experience, to make its own investigation.

"Such incredulity, brought to bear upon an extended system, especially in the inexact sciences, is justly viewed with suspicion; and the reformer in politics, in the social system or in medical science, meets no enthusiastic greeting. A little zeal, with a little error of premises or of reasoning, may then make the reformer dangerous. Here the *experimentum crucis* cannot easily be tried, either from the number of elements in the problem, from the length of time required, or from the magnitude of the interests at stake; and the world, therefore, very justly maintains a degree of conservatism and immobility in its moral, social, and political relations.

"In the exact physical sciences the tenets of a reformer may be easily tested. Here the logician easily supplies himself with facts. The result of single and brief experiments, made at will, can admit of little doubt. Even in the obscurer parts of medicine, where the material and immaterial influences are numerous and sometimes inappreciable, every honest and logical mind must, upon points of importance, arrive at one and the same result. No danger can result from incredulity in medical science. On the contrary, in view of the errors of fact which grow out of want of time or qualification on the part of observers, or the intrinsic difficulties of the science, a healthy and vigilant scepticism of recorded facts, whether in diagnosis or in therapeutics, is one of the essential methods of its advancement.

"It is quite obvious that such incredulity, such distrust of recognized authority, occupies a merely negative position. It is a quality which adapts its possessor for the reception of new light, from which the act of invention may emanate; but that such act should in reality occur certain active faculties are requisite. Positive inventive talent is required, the nature of which I shall attempt to show. But let it be remembered that there is a partial substitute for talent. It has been said that the difference between men lies more in their power of application than in this quality. Great application, resulting from strong stimulus, will be readily allowed to bring about results much like those of talent. At any rate it is more nearly allied to the untiring zeal and stern energy which recognizes no obstruction to its march. It is well known that this unyielding perseverance has characterized a large proportion of inventors; it has animated them in failure and nerved them through adversity. Of Whitney, whose cottin gin, even fifteen years ago, was said to be demonstrably worth $100,000,000 to the United States, it was said, 'of all my experience in the thorny profession of the law I never saw a case of such perseverance under such persecution. Even now, after thirty years, my head aches to recollect his narratives of new trials, fresh disappointment, and accumulated wrongs.' Fulton's energy was marvellous. His experimental boat was completed, after inconceivable difficulties, in the spring of 1803, when a messenger announced that the 'boat had broken in pieces and gone to the bottom.' After a momentary despondency, which till then he had never felt, and without returning to his lodging, without rest or refreshment, he labored with his own hands to raise her

during twenty-four hours incessantly. To this imprudence he attributed much of his subsequent bad health. The boat was almost entirely rebuilt, and was again completed in July. I take Fulton, Whitney, and Arkwright as types of the mechanical inventor. They possessed in an eminent degree the inventive talent; but this did not predominate over determination and perseverance, as not unfrequently happens when such talent is exaggerated. Of Whitney's power of invention it was said, 'it never ran wild; it accomplished, without exception, all that he ever asked of it, and no more. I emphasize this last expression from having in mind the case of a man whose inventive power appeared to be more fertile even than Whitney's; but he had it under no control. When he had imagined and half executed one fine thing he darted off to another, and he perfected nothing. Whitney perfected all he attempted.'

"Such energy, vital to the existence of most discoveries, may grow out of either the inventor's sense of necessity or his conviction of the possibility of reaching his object. And the last is another agent, mysterious to many, which is allied to the incredulity before alluded to, and which eminently characterizes the inventor's mind. It may be defined as a belief in the possibility or certainty of producing a result attained by the more active perception and reflection of the inventor's mind, by a series of processes which he may be, and often is, totally unable to impart. He is often, in consequence, considered as unsound or unwise, for, as far as the subject in hand is concerned, the inventor is actually ahead of the world. His faculties may not be recognized as stronger, his character more forcible, his intellectual range broader, nor his knowledge of experience greater than those of other men, yet for the narrow point at issue he is more competent than any other. His perceptions are stimulated and brought to a focus, and his energy is hot. He may actually become a better instrument for a special purpose than another whose intellectual mechanism is far more complicated. Franklin, in an essay before the American Philosophical Society, gave a drawing of a water-wheel, accompanied by a demonstration, conclusive, as he supposed, that such wheels could not be used to advantage in propelling steamboats. He proposed a jet from the stern. Fulton proved that among all methods proposed the jet was the worst, and the wheel the best. Fulton was right, and not Franklin.

"The power of remodelling old forms, of abbreviating method, of devising and economizing force for the passage of trodden or untrodden paths, appears to me essentially the same in most of the vocations of the human mind. Superadded to it may be a taste or a talent for the combinations of mechanical or other force, or for the complicated details of number and of space, or for any other of the fields of science. But how often is a mind simultaneously given to various inventive fields, exhibiting its powers in various directions, and intuitively recognized and stigmatized by the world as having a genius which incapacitates it for the daily routine of life. And how many, like Newton or Franklin, who added the element of perseverance to this genius, have been distinguished for a versatility of talent, manifesting itself each year in a new field, and exhibiting in each its peculiar trait. Franklin was a reformer, Fulton a warm advocate of the principles of free trade, while Whitney, in his college compositions, and in the words of his biographer, 'with a spirit somewhat prophetical, anticipated the decline and overthrow of all arbitrary governments, and the substitution in their place of a purely representative system like our own.'

"The inventor invents or devises the means to attain his ends. He is, therefore, most likely, other things being equal, to be a discoverer, because he will best devise the instruments, material or abstract, to cross-examine nature, and discover abstract truth. Yet it often happens that an inventive talent confines itself to the exposition of mechanical truths of limited application; not demonstrating large and suggestive laws in science, but settling limited ques-

tions of expediency in art; or making combinations, as Newton did his watch, for the intellectual pleasure of it.

"Such mechanical talent as that of Fulton and Whitney, and hosts of others, whose names are or are not attached to great inventions and discoveries, is not the less because it remained circumscribed by the field of mechanical force to which it first addressed itself. The modifications of mechanical force do in fact afford an ample field to such intellect. But give opportunity to such men as Fulton, or to a thousand nameless artisans, whose talent is valued at more than gold by those who convert such knowledge into money; find some way of detecting this humble genius, and give to it the opportunity for education in science and unmerchantable truth, which may take the place of natural strong taste for it, and the combination of the inventive talent with the scientific knowledge would yield the true philosopher. Newton built a watch, and, having a rare genius for arithmetic computation, discovered the law of gravitation.

"It is difficult to overestimate this talent for expedients and resources. What is American ingenuity? It is this great talent seeking a field in mechanical combinations in a country where opportunities for scientific knowledge have been hitherto comparatively rare. The elements of American ingenuity constitute the perception, the discrimination, and the resources of the American people.

"The true power of originating, wherever manifested, is the combined result of a power of analysis and a power of combination—the former enabling the inventor to discover the differences between the elements of existing combinations, to detect the influence of each, and to reject the useless; while the latter perceives the relations of new elements to the problem, and invokes their agency in the new combinations. The intellectual philosopher may justly recognize in these faculties the agency both of powerful judgment and of the imaginative quality; both brought to bear upon a range of subjects with which their possessor is familiar.

"It has been conceded that this talent is peculiar—often an uncultivated gift, brought to bear upon some narrow range of material, by those whose general knowledge does not testify to their industry or opportunities, or whose intellectual calibre and general range does not at all comport with this local development of talent in the direction to which taste has guided it.

"On the other hand, many discoveries important to the world owe little to this peculiar talent. They depend upon a fortunate or accidental succession of events, encircling a comparatively moderate ability; and then the magnitude of the invention may be much out of proportion to the degree of the inventive faculty. The invention of printing, perhaps the greatest in the scale of social importance, was but a division of the Roman printing block. Gunpowder, which happens to abbreviate warfare, was an unpremeditated invention. The discovery of Jenner has been attributed—1, to his talents; 2, to his education under Hunter; 3, to his situation in the vale of Gloucestershire.

"I would not abate a leaf of the laurel to which the discoverer has an undisputed right, and I shall presently indicate another quality, different from the inventive talent, which ranks high in intellect, and often compensates a discoverer for this talent. I wish here to show that a discovery of great practical importance may result in part from good fortune, from the first occupation of a ground, from perseverance in a particular direction, or from some other adventitious circumstance; that its magnitude and importance may be out of proportion to the character of the intellectual processes invested in it; and that it has happened that a discovery of immense practical importance to the human race, with good fortune to aid it, has involved but an inconsiderable intellectual pang in its creation, and, in consequence, that any *a priori* reasoning upon the mode of its creation has very little connexion with what may well be a question of pure fact.

"Having thus considered the intellectual qualities concerned in the invention,

I pass to the progress of the invention itself, and to a consideration of its successive steps. These consist, first, of the suggestion, and, second, of the generalization.

"Perhaps the most fertile source of error in the history of invention grows out of a misappreciation of these two stages of discovery. Yet they can be shown to differ widely, both in their character and in the credit they deserve.

"There can be no doubt that unless invention be a result of pure accident, suggestion always precedes it. It has been often distinctly recorded, in connexion with the greater inventions and discoveries. Thus the vertical spindles of an overturned spinning-wheel, suggested the jenny to Hargreaves. Iron-rolling suggested the drawing of cotton by rollers to Arkwright, who thus re-invented the machine, (ignorant of Wyatt's previous invention;) the valves of Fabricius, the circulation of the blood; and so on.

"In such cases the inventor or discoverer abstracted from the individual instance some inherent element, the applicability of which to other instances he alone saw. Hargreaves saw the value of a vertical position to spindles; Newton, of the force which attracted the apple; Harvey, of the idea that venous blood could run in only one direction; and they generalized this element in re-applying it.

"It does not modify the truth of this proposition that the first suggestion or experiment should yield a new result; that instead of a falling apple, it should be the contraction of a frog's leg, or an unpremediated pustule on the hand of a Gloucestershire milkmaid. Such facts were still suggestions and not discoveries, and were new only in the aspect they received from the mind whose key-note they struck—new because attention was then first drawn to them in a new relation, and not new in their actual occurrence.

"And the suggestion varies in its suggestive power, both from its own character and from that of the mind it works upon. The apple fell, and Newton alone abstracted a principle in behalf of the moon. Horace Wells says, and I believe first, 'Reasoning from analogy, I was led to believe that surgical operations might be performed without pain, by the fact that an individual, when much excited from ordinary causes, may receive severe wounds without manifesting the least pain; as, for instance, the man who is engaged in combat may have a limb severed from his body, after which he testifies that it was attended with no pain at the time. And so the man who is intoxicated with spirituous liquor may be treated severely without his manifesting pain. * * * By these facts I was led to inquire if the same result would not follow by the inhalation of some exhilarating gas.' And it is well known that he tried the experiment, with various results, upon himself and others, in November, 1844. And yet the philosopher Seneca makes the remarkable observation: 'That which presses hard upon you, and is very urgent, if you begin to withdraw yourself will certainly pursue you and fall heavier. If, on the contrary, you stand your ground and seem resolved upon opposition, you will drive it from you. How many strokes do boxers receive on the face and whole body! Yet a thirst of glory makes them regardless of pain.'

"To Seneca it suggested nothing, but to Wells a principle.

"A suggestion derived from one or two instances becomes an invention only when its important element is abstracted and actually reapplied; and it will be soon seen that the abstraction itself, the supposition, the theory, without this actual reapplication, amounts to nothing; and that for every actual and successful reapplication of a newly appreciated phenomenon there have been innumerable claims from those who suspected that such reapplication might be made, but did not actually make it; who mistook a single truth for a universal truth; suspicion for certainty; theory for fact.

"It will be found, by reference to the histories of discoveries, that the suggestion and generalization have occurred almost invariably in the experience of

one and the same individual. Though it is quite possible to conceive that while the suggestion occurred to one individual, he might transfer it for generalization to another individual, yet I am unable to find any instance in which this has occurred. On the contrary, the suspicion—the groundwork of the hypothesis—has generally stimulated and goaded the possessor, until he was able to convert it into fact. The suspicion has been then established, or, much more frequently, has not been established. It has proved erroneous; hope has not been realized, and the discovery has turned out to be no discovery. Watt, whose name is identified with the history of steam, and the soundness of whose practical views no one will dispute, speaks of 'the cast of a die. For,' says he, 'in that light I look upon every project that has not received the sanction of repeated success'

"This transfer of a suggestion, a theory, unconfirmed by fact, or relying upon one or two facts alone, is, as I have said, quite possible. It would then have the character of a ticket in a lottery which should be thus transferred, with which the recipient may draw a prize, but which is far more likely to turn up a blank.

"But especially in great discoveries, the theory has not been thus made over to a second party. The perceptions of the inventor, keen upon this point, have enabled him to discern its value, and he has allowed himself no rest, no interval, in the steady prosecution of his task.

"I have alluded to a second quality which contributes to discovery. The inventive talent lies at one end of the intellectual vibrations. At the other extreme is a high quality which elaborates another element, while the invention itself is the electric flash which results from the contact of the two.

"Here let me do ample justice to the mind of Jenner, which I do not find to have been especially characterized in his biography by the inventive genius. It did possess, as a equivalent, the power of appreciating the importance of a discovery; and it was in this power, and in the perseverance that resulted from it, and indicated it, that I recognize his chief merit. Jenner comprehended that vaccination would considerably prolong the average of human existence. A breadth of view, a simultaneous consideration of many circumstances, with ability to reason justly upon them; in short, a very clear conception of the whole subject, could alone afford the notion of importance or necessity which was to become the stimulus and proximate cause of the discovery. Few minds are capable of becoming so imbued with the importance of a merely possible result, as to permit it to divert the current of daily life. Such men are pointed at as having one idea; their wisdom is questioned; they are the butt of ridicule. And when the result demonstrates the accuracy of their convictions, we may fairly bow at once to their discernment and understanding, whether it detected a possibility or comprehended a necessity which others overlooked.

"At this point let us pause to make a distinction of cardinal importance. We have hitherto considered the qualities of the inventor's mind, and the successive steps of the process by which it accomplishes its end. Another element now complicates the problem. The invention is to go forth to the world, and to establish certain relations between the world and the discoverer.

"Up to this point it is quite obvious that an invention may be made; that it may grow from an original hint into a theory, which again may be confirmed beyond a doubt by the test of repeated experiment, and yet that the whole process may be confined to the inventor's mind—to his own cognizance. So long as he thus retains it for his own benefit or for that of a few friends, does the world stand in his debt? Clearly not. The demonstration of the world to an inventor is a demonstration of gratitude and honor—gratitude for the donation of a great invention, honor to intellectual ability. To the latter it is conceded in the case of certain astronomical discoveries, for example, not immediately concerned in the direct welfare of mankind, but the product of vast and recognized intellectual power.

"But when a discovery becomes great, not from the character of the intellect invested in it, but from its immediate applicability to the amelioration of the condittion of humanity, then the gratitude and honor conceded by the world is a mere equivalent for value received. The world will not concede this gratitude until they have received the value. They will only concede it to the source through which they receive it, and they will examine very closely the claims of those who may claim to have acted as agents in the matter.

"To investigate this last position further: The world is to bestow a large reward in honor and in gratitude, but requires indisputable evidence of merit on the part of the recipient. It is prejudiced against *ex post facto* claims, because it naturally argues, first, that one who had made the invention, and appreciated it, would, in anticipation of this honor, grateful to all men, have published his invention when he made it; and secondly, that although such *ex post facto* claimant be a real inventor, yet he is so only in relation to himself, or those with whom he has communicated; and as he either could not, or did not, make the world at large feel the full value of it, so they owe him nothing. Such is ample reason for the world's prejudice against such claims.

"This suspicion of inventors, who do not appear until after the world has been made to recognize a discovery, is also justified by the remarkable fact that hardly an invention of importance was ever made known that it was not at once claimed, often simultaneously, from a variety of sources. It is perfectly natural that it should be thus claimed. The world, whether in science or in art, is built up to a certain point by the easy and wide transmission of knowledge, and upon this elevation stand a multitude of philosophers, engaged, often, in identical researches, and who will be possessed of much information upon the subject to which a discoverer first gives utterance. The world is then liable for a short time to confound their claims, to confuse the perfect with the imperfect knowledge; the incomplete result of few facts with the complete demonstration from many; the unproved with the indisputable; theory with fact. But the law of the land has left no doubt upon this point. Before ceding a patent it first identifies a discoverer. Here is an opinion from the clear head of Judge Story: "He is the first inventor in the sense of the act, and entitled to a patent for his invention, who has first perfected and adapted the same to use; and until it is so perfected and adapted to use, it is not patentable. An imperfect and incomplete invention, resting in mere theory, or in intellectual notion, or in uncertain experiments, and not actually reduced to practice, is not and cannot be patentable under our patent acts. In a race of diligence between two independent inventors, he who first reduces his invention to a fixed, positive, and practical form would seem to be entitled to a priority of right to a patent therefor.'

"And the actual history of discovery and invention is conclusive upon these points. The world, if it has doubted awhile, has always been right in the end. The man who has first generalized the proposition, and first made the world allow that it was thus generalized, has been the inventor.

"About 1750 one Sultzer published an account of the peculiar taste arising from the contact of bits of silver and of lead with the tongue. Forty years after, Galvani brought metals in contact with a frog's leg. In each case a hint was received. Sultzer published it, but the world were not impressed with its importance. Galvani pursued the hint with numerous experiments; demonstrated that the phenomena resulted from a new modification of abstract force; compelled the world to recognize it, and was the discoverer.

"The young countrywoman at Sodbury said of small-pox, I cannot take that disease, for I have had cow-pox! The Duchess of Cleveland said she had no fear about her beauty, for she had had a disorder which would prevent her from ever catching the small-pox. Were these discoverers? No. They furnished the isolated hint, and made no further experiments. Jenner, with infinite en-

ergy and perseverance, through many successive years, in spite of ridicule, at last proved, not that cow-pox might protect the system, but that it always would thus protect it, and that it was safe. He generalized the single fact, and was a discoverer.

"Many experimenters raised their voice to say that they, too, had wiped up acids with a towel, which had then burned like powder. Schonbein was the first to make the world allow that cotton, treated by a certain process, always would thus burn.

"The Abbe Nollet suspected the identity of the electric fluid and of lightning, and experiments were made in France. Franklin, braving the ridicule of failure, flew his kite, and by this and subsequent experiments with a lightning-rod, he proved that the electric fluid was thus identical.

"Adams made a calculation with regard to the existence of a new planet, and could not or did not compel the world, through the astronomer royal, to listen to him. Leverrier calculated a result, compelled the world to recognize its intrinsic greatness, and the magnitude of his own mathematical power, and was the discoverer.

"Jonathan Hull, the Abbe Arnal, the Earl of Stanhope, Franklin, and others, proposed to propel boats by steam. They tried it, and failed to persuade the world of the expediency or value of the method. Long after, Fulton, impressed with the immense importance of the subject, made a series of experiments and calculations, discerned the cause of previous failures, persevered through inconceivable difficulties, and in the face of ridicule he felt but did not yield to, demonstrated a proposition—not that steam, a long-recognized power, might be made to move a boat, but that it could do so efficiently and profitably. He first compelled the world to recognize this great fact, and was the discoverer of this abstract truth, and the inventor of a profitable steamboat.

"A hundred other instances might be cited to show that the man to whom the original hint occurs is not the inventor; nor yet he who forms a theory upon this hint; nor even he who publishes this theory, if he does not convince other people of its truth. This last may readily occur. A man may happen upon a fortunate theory, and yet not appreciate its value, so he gives himself no trouble to proclaim it; or perhaps his proofs are not conclusive, and the world will not believe. Goethe knew this when he said, 'Many things may be discovered and made known for a long time without producing any effect on the world, or the effect may be wrought without its being observed—wrought and yet not take hold of the multitude. This is the reason why the history of inventions is so surrounded with strange riddles.'

"He is the inventor who generalizes the single instance, and who makes the world concede that it is thus generalized.

"Now, if there is any one point which has identified the true inventor's mind, it has been an invincible determination to compel the world to recognize the reality and value of its invention. The inventor saw it himself when other men could not, and he determined that other men should see it, and he accomplished his determination. 'He,' Sidney Smith says, in the Edinburgh Review, 'is not the inventor who first *says* the thing, but he who says it so long, loud, and clearly, that he compels mankind to hear him.'

"Recognize this point, and the question of invention is comparatively simple. Yet it is not recognized. There is no abatement of claims to previous invention. The writer of a life of Fulton well says: 'Those who question Mr. Fulton's claim are precisely those who have been utterly unsuccessful in their own attempts; and it would seem that exactly in proportion as their efforts were abortive, and as they had thrown away money in fruitless experiments, their claims rose in their own estimation, and that of their partisans.' And the witness, I believe before the House of Commons, probably did not overstate the matter when he gave it as his opinion that if a man were to show that he had

found a road to the moon, his neighbors would testify that, if they had not been there themselves, they knew several individuals who where familiar with the road in question.

"The above considerations have been presented with the intention and desire of exposing the authority of precedent with impartiality. I have wished that the reader should not lean to one or the other side of the ether controversy, until all these considerations were presented. It remains to show their bearing upon the gist of the evidence contained in the statements which have been made in behalf of Dr. Jackson and of Dr. Morton. The considerations alluded to bear upon four principal points:

"1. The character of the mind and education required for discovery.

"2. The suggestion of the discovery.

"3. The generalization of this suggestion.

"4. Its presentation to the world.

"1. This community is familiar with the great scientific talent and attainment of Dr. Jackson. Dr. Morton has acuteness, ingenuity, zeal, and perseverance. The discovery is not of a character to have demanded extensive scientific acquirement, and it is probable that either Dr. Jackson or Dr. Morton might have made it.

"2. The suggestion occurred to Davy, Jackson, Wells, Morton, and many others. Horace Wells seems to have conceived this hypothesis more distinctly than any other individual. So persuaded was he of its probability that he made several experiments, and even made a journey to the Medical Class at Boston, before whom, however, he entirely failed to verify his theory. He then abandoned it, until it was confirmed by Dr. Morton. Dr. Jackson fails to prove that Dr. Morton was ignorant of the hypothesis, until he suggested it to him, because Dr. Morton shows by the evidence that he was considering the properties of ether, at the intervals both of three months and of three days, before his interview with Dr. Jackson.

"3. I have shown that he who verifies the suggestion is the real discoverer. Dr. Morton, according to the evidence, did generalize this discovery. He verified the suggestion, from whatever source it emanated. He made and modified the experiments at his own discretion. He assumed the responsibility of danger. He first conclusively demonstrated of ether—first, that it would always produce insensibility to pain; second, that it was safe. These two points constitute the discovery. Dr. Morton demonstrated these points, and no one else did.

"To show that Dr. Morton was only a "nurse"—an instrument of pre-established knowledge—such knowledge must be proved to be pre-established. It is impossible for human reason to infer, upon the experiments put in evidence by Dr. Jackson, either that ether was, first, universal in its effects, or, second, that it was safe. It must, therefore, be argued that this knowledge was not pre-established; that Dr. Morton was not a mere administrator, but that he was an originator.

"4. Lastly, many may have been the real discoverers of ether insensibility to pain, and at a remote period. But if so, they have kept it to themselves, and they will be known as discoverers only to themselves. The world has always honored that individual, among such discoverers, who presented his discovery to them. Dr. Morton was, according to the evidence in print, both the prime mover and the immediate agent in the introduction of this discovery to the world."

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37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 90.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 14, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Foreign Relations, submitted the following

REPORT.

The Committee on Foreign Relations, to whom was referred the petition of Elizabeth W. Lott, respectfully beg leave to report:

That the petitioner is the widow of the late Peter Lott, esq., who was consul of the United States at Tehuantepec, in the republic of Mexico, at the time of his death, which occurred on the 10th of March, 1862. The memorial sets forth that Mr. Lott received his commission as consul on the 11th of November, 1861, with instructions as to the duties and requirements of his office from the Hon. William H. Seward, Secretary of State; that accompanying these instructions was a paper or document signed by Mr. Seward, containing positive assurances that all the actual necessary travelling expenses of the consul to the place of appointment and back again to the United States, at the expiration of his term of office, should be paid in full by the government of the United States; that Mr. Lott received said instructions and document on the 25th of November, 1861, and on the 21st day of December then next, he, together with the petitioner, sailed from New York for the port of Aspinwall, and that they arrived at the city of Tehuantepec on the 18th day of January, 1862; that Mr. Lott was enfeebled in health by the discomforts and exposure of his voyage, and on the 10th of March following he died, leaving the petitioner in a destitute condition; that she remained at Tehuantepec for about two months, during which time she performed the duties of the office, and on the 20th of May, 1862, she started on her return to the United States, and was forty days in reaching New York; that the entire amount of necessary expenditure in travelling to and from, and while residing at Tehuantepec, was $750, and that the amount of salary allowed by law will not equal that sum; that nothing has yet been received either for salary or expenses, and the petitioner asks that one year's salary, $1,500, may be given to her.

The attention of the Secretary of State was called to this petition by one of the members of the committee, and the Secretary addressed to him a letter, of which the following is a copy.

DEPARTMENT OF STATE,
Washington, January 13, 1863.

SIR: In reference to the memorial of Mrs. Elizabeth W. Lott, which you left at the department yesterday, I have the honor to state that her husband, Peter Lott, was appointed consul of the United States at Tehuantepec, on the 11th of November, 1861, with compensation, under the act of August 2, 1861, at the rate of fifteen hundred dollars ($1,500) per annum, but neither in his general instructions nor in any paper or document signed by me, accompanying those instructions, was it said that all his actual necessary travelling expenses to the place of his appointment and back again to the United States at the expiration of his term of office should be paid and satisfied in full by the government of the United States. The 8th section of the act of August 18, 1856, allows compensation to a consul for the time occupied in receiving his instructions, not to exceed 30 days, and in making the transit between the place of his residence when appointed and his post of duty at the commencement and termination of his official service, and as soon as the department was enabled to establish the precise periods for which compensation should be paid to Mr. Lott, a letter dated 27th May last, a copy of which is enclosed, was addressed to the Fifth Auditor for his information in the adjustment of the account, which adjustment I understand has been delayed by the continued absence of a statement of the fees received by Mr. Lott while at his post. If Mrs. Lott can furnish such statement, the balance due to the estate of her husband will be paid to his legal representative.

The department is not aware of any case analogous to that of Mr. Lott's in which Congress has made an appropriation of a year's salary to the legal representatives of a person dying abroad in the service of his country. The memorial of Mrs. Lott is returned herein.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. O. H. BROWNING,
Committee on Foreign Relations, Senate.

The committee can discover no good grounds on which the prayer of the petition can be granted, nor can they recommend any appropriation beyond the amount of salary provided by law in the case. That, as the committee understand, will be paid at the treasury at any time, on complying with the regulations of the department.

The committee therefore ask to be discharged from further consideration of the petition.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 91.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 16, 1863 —Ordered to be printed.

Mr. FOSTER made the following

REPORT.

[To accompany bill H. R. No. 363.]

The Committee on Pensions, to whom was referred the House report No 363, and the bill accompanying, for the relief of Edwin W. Jones, respectfully report:

That it appears that said Jones was a private in company B, 5th infantry, United States army, in the Mexican war. The petition sets forth, as a reason for his claim for a pension, that while in an engagement near National Bridge he was wounded in the hand, and was thereby disabled. He was discharged from service, however, on the ground of general debility, and the report of the House is in favor of granting him a pension on account of chronic diarrhœa. There is no evidence, except his own statement, that this diarrhœa was contracted in the service of the United States and in the line of his duty. The surgeon's certificate, on which his discharge was granted, gives his diseases as "inflammation of the bladder" and "rheumatism," not mentioning either a wound or diarrhœa. It further appears that his claim for a pension has been submitted to the Pension Office and rejected; and the committee would not feel authorized, except in extraordinary instances, to overrule the decisions of the Commissioner of Pensions. They do not think this case presents any extraordinary merits, and they accordingly report back the bill with a recommendation that it do not pass.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 92.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 16, 1863.—Ordered to be printed.

Mr. WILSON, from the Committee on Military Affairs and the Militia, submitted the following

REPORT.

The Committee on Military Affairs and the Militia, to whom was referred the resolution of the Senate of the 28th January, 1863, *having had it under consideration, report:*

The resolution is in these words :

"That the Committee on Military Affairs be instructed to inquire, for the purpose of extending such relief as the circumstances may require, into the case of Mr. Thomas, of Maryland, now a prisoner of war at Fort Lafayette, who, it is represented, is in a dungeon of that fortress since June last, and who is now hopelessly insane by reason of his sufferings."

The committee, in their investigation of this case, received the following communications, which exhibit Mr. Thomas's condition and explain the reason why he has been kept in solitary confinement since 3d March, 1862.

WAR DEPARTMENT,
Washington City, D. C., February 10, 1863.

SIR: I have the honor to transmit, in answer to the resolution of the Senate of the 28th of January last, the reports of the commanding officer and surgeon at Fort Lafayette, New York harbor, in relation to the confinement, treatment, health, and mental condition of Mr. Thomas, of Maryland. I also enclose the report of the adjutant general, giving the reasons for subjecting him to close confinement after the 3d of March last.

Very respectfully, sir, your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. H. WILSON,
Chairman of the Committee on Military Affairs,
United States Senate.

FORT HAMILTON, NEW YORK HARBOR,
February 2, 1863.

SIR: I have to acknowledge the receipt of yours of the 30th day of January, 1863, enclosing a resolution of Congress.

I have the honor herewith to forward an answer to that communication, accompanied by a surgeon's certificate with regard to the health of Mr. Thomas.

Very respectfully, your obedient servant,

MARTIN BURKE,
Lieutenant Colonel 3d Artillery.

Brigadier General E. S. CANBY,
United States Army, Washington City, D. C.

FORT LAFAYETTE, NEW YORK HARBOR,
February 2, 1863.

COLONEL: In obedience to the instructions this day received from you I have the honor to report the following, viz: Richard Thomas Zarvona was committed to this fort on the 3d day of December, 1861, and was allowed the same privileges as the other prisoners until the 3d day of March, 1862, on which date he was placed in close confinement by order of the Secretary of War, dated 28th day of February, 1862. After that date he was not allowed to leave his room, except to go to the water-closet, (which is situated on the sea-wall,) in charge of a member of the guard; of which privilege he took advantage on the night of the 31st day of April, 1862, and attempted to escape by jumping overboard, and swimming to the Long Island shore. Since that time he has not been out of his room, except to see his mother, who visited him in October last by permission of the Secretary of War.

The room he is confined in is one of those intended for quarters, twenty-five feet long and fifteen feet wide, with three windows, one of which is closed, because it opens upon the court where the other prisoners exercise; the others are open. The room is the same which Senator Wall (with several others) occupied while confined here.

He is not allowed communication with any one, except the officers of the post and non-commissioned officers of the guard.

He is permitted to supply himself, through the commanding officer of the post, with anything he may wish in the way of food (in addition to the regular ration which is issued to him) and clothing.

He is not permitted the use of paper or books, as he has taken advantage of those privileges to communicate with parties outside. As regards his health I have the honor to transmit herewith the report of Acting Assistant Surgeon W. H. Studley, who is surgeon of the post.

I am, colonel, very respectfully, your obedient servant,

CHAS. O. WOOD,
First Lieutenant 9th Infantry, commanding post.

Colonel M. BURKE,
Commanding, &c., Fort Hamilton.

FORT LAFAYETTE, *February* 2, 1863.

COLONEL BURKE: In obedience to your orders, I have this day examined Colonel Richard Thomas Zarvona, confederate States army, and find that his health is generally good; according to his own admission, that it is better than when he entered the fort. In reference to his mental condition, I find him social and rational, but somewhat eccentric in some of his ideas, and yet no more so than in thousands who may be said to be born with a certain turn of character.

Therefore, in my opinion, I should deem his peculiarities perfectly consistent with sanity of mind.

Respectfully yours,

W. H. STUDLEY, M. D.,
Acting Assistant Surgeon, United States Army

Colonel M. BURKE,
Commanding, &c., Fort Hamilton.

WAR DEPARTMENT,
Adjutant General's Office, Washington, February 10, 1863.

SIR: In compliance with your instructions, I have the honor to report that Colonel Richard Thomas, *alias* Richard Thomas Zarvona, was captured on board the steamer Mary Washington, near Annapolis, July 7, 1861, and confined at Fort McHenry, Baltimore, Maryland. He was recognized on the steamer as the man who headed a party which captured the steamer St. Nicholas, plying between Baltimore and the Potomac, and was indicted by the grand jury of Maryland district for this offence, and for treason. When search was made for him on the Mary Washington he was found dressed in female apparel and concealed in a bureau in one of the state rooms. General Dix, in his report of February 20, 1862, thinks he should have been treated as a "pirate and a spy." There are four witnesses against him as to the first crime, who were at Fort McHenry the last of September. The evidence to the second charge consists in his being taken in disguise as a female, with a commission of colonel "in the active volunteer forces" of Virginia upon his person at the time.

In consequence of the report made in his case, he has not been placed on the list of prisoners of war, but is held confined at Fort Lafayette. He was placed in close confinement for trying to make arrangements to escape; and while so confined did make a desperate attempt to escape by breaking away from the guard and jumping overboard, on the night of April 21, 1862.

Respectfully submitted.

E. D. TOWNSEND,
Assistant Adjutant General.

Hon. E. M. STANTON,
Secretary of War.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 93.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 17, 1863.—Ordered to be printed.

Mr. FOSTER submitted the following

REPORT.

[To accompany bill S. No. 534.]

The Committee on Pensions, to whom was referred the petition of Rosa Renshaw and Caroline T. Renshaw, sisters of the late Commander William B. Renshaw, respectfully report:

The petitioners are daughters of the late Commodore James Renshaw, who spent his life in the service of his country, and sisters of Commander William B. Renshaw, who was killed at Galveston on the first day of January, 1863, by the explosion of the magazine of the United States gunboat Westfield, which was blown up to prevent her falling into the hands of the enemy. Commander Renshaw was so anxious to see this duty faithfully performed that he remained on board his vessel until too late to save his life, nobly falling at the post of duty. He was a gallant and accomplished officer, who had served thirty-two years in the navy, having entered it as a midshipman in 1831. It further appears that, since the death of their father, the petitioners have been wholly dependent upon their brother for support, and especially so since one of them has been for a series of years afflicted with an incurable disease, and for the last twelve years has been unable to leave her bed, and demanded the whole time and constant care of the other sister. Commander Renshaw, in view of the destitute and helpless condition of his sisters, was never married, but devoted such of his pay as he could spare to their support. By his death they are left without the means of subsistence.

The committee think that, while a pension should not be granted to the sister who is in good health, the case of the other petitioner, who is both destitute and helpless, falls within the spirit and equity of the general pension law. That act provides a pension for an orphan sister dependent, by reason of youth, upon the brother for support. The committee think that one equally dependent by reason of disease is entitled to relief, and they accordingly report the accompanying bill for the relief of Caroline T. Renshaw, one of the petitioners.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 94.

IN THE SENATE OF THE UNITED STATES,

FEBRUARY 17, 1863.—Ordered to be printed.

Mr. FOSTER. made the following

REPORT.

[To accompany bill S. No. 535.]

The Committee on Pensions, to whom was referred the petition of Emma L. Fuller, widow of Arthur B. Fuller, late chaplain of the 16th regiment Massachusetts volunteers:

That it appears that Arthur B. Fuller was the chaplain of the 16th regiment of Massachusetts volunteers; that his health was much impaired by the hardships and exposures of the peninsular campaign; that after repeated efforts to renew his labors in the camp of his regiment, which were foiled by his sickness returning upon every such attempt, it was finally determined, by the advice of army surgeons, that his malady was such that he could not bear exposure in the field. He was accordingly honorably discharged, on surgeon's certificate of disability, on the 10th day of December, 1862. On the 11th day of December, on the call for volunteers to cross the Rappahannock at the battle of Fredericksburg, he volunteered, and was killed in the service soon after entering Fredericksburg, while gallantly rallying a company of his regment.

The committee think that, though Chaplain Fuller was technically out of the service of the United States, still he was really in the service of his country and in the line of duty while bravely leading on the soldiers, and dying on the field of battle. They, therefore, think the petitioner entitled to the relief for which she prays, and accordingly report a bill.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 95.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 17, 1863.—Ordered to be printed.

Mr. HARDING, from the Committee on Public Lands, submitted the following

REPORT.

[To accompany bill S. No. 537.]

The facts upon which the Committee on Public Lands base a favorable report upon the above-named bill are as follows:

The Soscol rancho is settled upon and occupied by an enterprising body of agriculturists—men who have spent their means liberally in making improvements—claiming their lands under the Soscol grant of M. G. Vallejo. In 1847 the town of Benicia was laid out, its projectors and settlers relying on the Vallejo title. It has grown to be a town of several thousand inhabitants, and is among the more important of the interior villages of California. The town of Vallejo is upon the same rancho, was laid out in 1850, and is also of considerable importance, the lands therein being held under the same title. The entire rancho has passed out of the hands of the original grantee into the possession of a multitude of small holders, and is covered by numerous small farms and orchards, each enclosed by substantial fences, highly cultivated, and dotted all over with comfortable farmhouses and other buildings. All these settlers upon the rancho hold by purchase of M. G. Vallejo, having paid for their lands in good faith and in the firm belief, supported by the best legal advice attainable, that the title of Vallejo was valid. Several millions of dollars have been expended in improvements upon the rancho, and hundreds of thousands of dollars are secured by mortgage upon the farms into which the rancho has been divided. It is obvious that great confusion and distress must arise in a community of this character, with property interests so extensive, when it is suddenly discovered that their title is invalid, and the wealth they had supposed their own is suddenly taken away and all the accumulations of years swept from them.

There are many circumstances which tended to give to the settlers upon the Soscol rancho confidence in the title which they purchased. M. G. Vallejo, the grantee from the Mexican government, belonged

to one of the most influential families of California. In 1827 he was a member of the departmental legislature. He afterwards held a high official position under Governor Figueroa, and still later, in 1839, was commissioned by the supreme government as military commandant of Alta California. At various times during the troubles in Mexico, and its consequent pecuniary straits, he furnished the government large sums of money and other supplies; and, in consideration of these favors to the government, Micheltorena, then governor of California, and invested with extraordinary powers by the home government, granted to Vallejo the Soscol rancho in 1843, several years before the conquest of the State by the United States. From that time Vallejo had the exclusive and undisputed use and possession of the rancho, having upon it his residence, several thousand head of horses and cattle, numerous dependents and retainers, and exercised over it all acts of ownership. Thus matters stood when California became a part of the Union by a treaty guaranteeing, on the part of the American government, protection to the property of Mexican citizens. Complying with the law of Congress requiring Mexican citizens to prove their ownership of grants. Vallejo presented to the board of land commissioners his claim to the land he had held and owned for years before. That board was satisfied as to the meritorious character of this grant, for after a thorough investigation of the documentary evidence in the case, and an elaborate examination of witnesses, the case was confirmed by said board on the 22d May, 1855. This decision of the board of land commissioners was subsequently confirmed by the higher tribunal of the United States district court for the northern district of California.

After this grant had passed the ordeal of two courts of the United States, and had been indorsed by them as genuine, the owner would naturally feel warranted in selling portions of the same to third parties, and those desiring to purchase would not be apt to doubt the validity of the title against the decision of two courts of the United States. In addition to this, it should be stated that the government, desiring a location for a military establishment near Benicia, caused an investigation to be made into the *bona fides* of this title, under the supervision of the Attorney General, and that officer reporting that the title was valid, the government purchased a portion of the land, and now holds it under the Vallejo title.

After these various decisions, the validity of the title was taken for granted until the decision of the United States Supreme Court. That decision was not made upon any alleged fraud, but upon a technical question as to the powers and duties of Micheltorena in making the grant, and this question was raised for the first time in that court.

Justice Grier, who, with Justice Wayne, dissented from the majority of the Supreme Court in rejecting the grant on technical grounds, said:

"If this treaty is to be executed in good faith by this government, why should we forfeit property, for which a large price has been paid to the Mexican government, on the assumption that the Mexican government would not have con-

firmed it, but would have repudiated it for want of formal authority? Vallejo was an officer in the army, high in the confidence of the government. His salary as an officer had been in arrear. In a time of difficulty he furnishes provisions and money to the government of the Territory. How do we know that Mexico would have repudiated a sale of 80,000 acres as a robbery of its territory, when any two decent colonists, having a few horses and cows, could have 100,000 for nothing?

"I believe the Mexican government would have acted honestly and honorably with their valued servant, and that the same obligation rests on us by force of the treaty.

"Now that the land under our government has become of value, these grants may appear enormous; but the court has a duty to perform under the treaty, which gives us no authority to forfeit a *bona fide* grant because it may not suit our notions of propriety.

"We are not, for that reason, to be astute in searching for reasons to confiscate a man's property because he has too much. Believing, therefore, that in the case before us the claimant has presented a genuine grant for a consideration paid, which the Mexican government would never have disturbed for any of the reasons now offered for confiscating it, I must express, most respectfully, my dissent from the opinion of the majority of the court, *with the hope that* Congress *will not suffer the very numerous purchasers to forfeit the millions expended on the faith of treaty obligations.*"

The bill reported by this committee respects the occupancy of the numerous holders under this title, recognizing it as a pre-emption, and authorizing a sale to them for the minimum price of public lands, they paying the cost of surveys and all other expenses.

It has been the uniform practice of Congress to respect and protect the *improvements* of settlers. By the decision we have referred to, a considerable quantity of land, covered with settlers' improvements, has suddenly become the property of the United States. To send out a commission to California to appraise these improvements would absorb all the government could realize from the sale of the lands. Yet, to treat the settlers as intruders upon the public domain, and deprive them of the fruits of their labor and investments, would be a gross departure from the practice of the government and a great injustice to the settlers. As the bill proposes to sell them their lands at the government price, they to be at all the expense necessary for surveys, litigating conflicting interests, &c., the government will probably realize more from the lands than it can from any other mode of treatment, while it will do justice to its citizens whose interests are so deeply involved in the premises.

The legislation proposed in the bill is consistent with the precedents of congressional legislation in land cases. By act of Congress approved June 27, 1851, the right of pre-emption was granted to certain settlers on the Maison Rouge grant in Louisiana. The Congress passed the act to take effect "in the event of the final adjudication of the title in favor of the United States."—(9 Stat. at Large, p. 565.) The final decision is reported in 11 Howard, 663, and the act was passed while the case was pending.

Another act, entitled "An act for the settlement of certain classes

of private land claims within the limits of the Baron de Bastrop grant, and for allowing pre-emption to certain actual settlers in the event of the final adjudication of the title of said de Bapstro in favor of the United States," was approved March 3, 1851.—(9 Stat. at Large, p. 597.) The case is found in 11 Howard, p. 609.

The settlers on the above-named grants were comparatively few in number, and the grants eleven times as large as the Soscol grant, while on the latter some three thousand families are settled, and several thousand others, all holding under the Soscol title.

Up to the time of the rejection of the Soscol grant during the present Congress, the settlers were undisturbed by any outside parties; but difficulties have since arisen from the entrance of parties upon the grant on the claim that it is public land, leading to collisions, which must increase if Congress does not intervene. The parties so claiming have entered within the enclosures of settlers, and scenes of violence have hence resulted.

In view of all the facts in the case—the fact that so large a population of industrious agriculturists have settled upon and improved the grant; that they have bought their lands in good faith—the precedents cited, and the consistent policy of the government towards settlers, with the *bona fides* of the grant itself, the committee report back the bill, and recommend its passage.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 96.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 18, 1863.—Ordered to be printed.

Mr. SUMNER made the following

REPORT.

[To accompany bill S. No. 542.]

The Committee on Foreign Relations, to whom was referred the petition of Henry P. Blanchard, praying compensation for services performed as marshal for the consular court at Canton, have had the same under consideration, and report:

That the memorialist was duly appointed and served as United States marshal for the consular court at Canton, in China, established under the act of August 11, 1848, as is shown by the following copy of a letter on file in the Department of State:

UNITED STATES CONSULATE,
Canton, November 26, 1860.

SIR: At the request of Mr. H. P. Blanchard, desiring me to inform the department of the period during which he performed the duties of United States marshal at this port, I have to state that Mr. Blanchard entered upon the duties of United States marshal at this port on the 22d day of February, 1858, and continued to perform the duties appertaining to the said office up to the 30th day of August, 1860, the day on which his successor, Mr. F. H. Haskell, was appointed, and whose appointment was approved by Mr. Ward, the United States minister to China.

Respectfully, I have the honor to be, sir, your most obedient servant,
OLIVER H. PERRY,
United States Consul.

Hon. LEWIS CASS,
Secretary of State.

The memorialist states that he accepted the appointment as marshal for the consular court under the belief that a compensation of one thousand dollars per annum would be paid him for his services. These embraced the perplexing and difficult duties of quelling and settling troubles on shipboard with mutinous crews, arresting runaway sea-

men, adjusting claims of Chinese for damages suffered by them at the hands of drunken American sailors, and procuring the release of kidnapped coolies, who were about being taken from Whampoa in American vessels engaged in that inhuman traffic. For these and other services Mr. Blanchard states that he has never received any remuneration, "either from the United States consul or from fees collected, or in any other manner, or from any source whatever." That these services were faithfully performed is shown by the following letter:

BUREAU OF EQUIPMENT AND CLOTHING,
Washington, D. C., November 17, 1862.

Henry P. Blanchard, esq., was performing the duties of United States marshal of Canton and Whampoa while I was in command of the United States ship Portsmouth in China, and these services were effectually performed.

As Mr. Blanchard has not been able to obtain his pay for these services rendered, I trust that his claim may now receive due attention, and he obtain the usual, or allowed, compensation.

A. H. FOOTE,
Rear Admiral United States Navy.

It appears by a letter from the Department of State that when the act of 1848 was passed it was supposed that the officers of consular courts would be remunerated by fees, and that a subsequent act by which the salaries of the marshals of these courts was fixed at one thousand dollars, in addition to fees, did not go into effect until July 1, 1860.

The claim of the memorialist from the 1st of July, 1860, to the close of his term of service on the 30th of August, 1860, has been paid by a special appropriation made by Congress, that portion of his official duties having been legalized by the act of June 22, 1860. He now asks remuneration for his services from February 22, 1848, to July 1, 1860, at the rate of one thousand dollars per annum, amounting to $2,354 24, that being the balance due him, as the following statement shows:

Original claim for salary from February 22, 1858, to August 30, 1860	$2,520 00
Amount paid by appropriation from July 1, 1860, to August 30, 1860	165 76
Leaving due the amount of salary from February 22, 1858, to July 1, 1860	2,354 24

Claims of a similar nature have heretofore been paid. In the deficiency bill approved May 31, 1854, was an appropriation of $1,781 74, to "Thomas M. Johnson, for his services at the port of Shanghai, from the 9th December, 1851, to the 15th September, 1853;" and the consular and diplomatic bill approved May 26,

1860, contained an item, passed on the strong recommendation of General Cass, then Secretary of State, by which $4,760, or so much thereof as might be necessary, was appropriated, "to enable the Secretary of State to defray the cost of the prison-ship at Canton, in China, from the 1st day of January, 1854, to the 1st day of January, 1857, and for compensation of the marshal of the consular court at Canton, from January 1, 1854, to the 15th of December, 1857."

It appears that the memorialist was the successor of Mr. James P. Cook, who was, by the above act, remunerated for his services as "marshal of the consular court at Canton, from January 1, 1854, to the 15th of December, 1857." The rebellion having made it necessary for foreigners to leave Canton, the functions of the consular court were suspended from that time until the February following, when the services of the memorialist commenced. While the predecessor of the memorialist has thus been paid by special legislation, his successor received a salary under the act of June 22, 1860.

When the claim was before the Senate, a few weeks since, it was not denied that in justice and equity the memorialist was entitled to the relief asked for; but it was ruled out of order as an amendment to the deficiency bill, and it was suggested to be a proper case for a private bill. Since then Mr. Blanchard has petitioned for relief.

Your committee, after a full examination of the case, was of the opinion that the facts and the precedents cited show that the memorialist is entitled to relief, and report a bill accordingly, the passage of which they recommend.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 97.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 18, 1863.—Ordered to be printed.

Mr. RICE submitted the following

REPORT.

[To accompany bill S. No. 502.]

The Committee on Military Affairs and the Militia, to whom was referred the petitions of Captain John Mullan, United States army, having had the same under consideration, report:

It appears that Captain Mullan, in February, 1860, sent through the mail carried by one John L. Carr, a draft upon the assistant treasurer in New York, in payment for certain commissary stores purchased by him, amounting to $1,396 96, in favor of Lieutenant Robert McFeely, United States army, which draft was stolen from the mail by John L. Carr, and being payable to bearer, was paid to the person who presented it; that the amount has not been received by Lieutenant McFeely.

It further appears, that Captain Mullan, as superintendent of the military road from Walla-Walla to Fort Benton, sold at public auction, in August, 1862, certain property belonging to that road, and that he took in payment therefor Navy Department certificates, one of which, amounting to $1,020, on being presented for payment, was pronounced a forgery.

Captain Mullan is held responsible for these two sums. The committee, after a careful examination of this case, are satisfied that Captain Mullan ought not to be so held. In the first instance he acted in the manner prescribed by the regulations of the Treasury Department, in making the draft payable to the bearer, and that he sent, by the means provided by the government—the United States mail—and for its loss he is in no way responsible; that he used all due diligence to arrest the robber, without success, he having made way to California, and afterwards to Nevada Territory, where he was since hung for murder.

In the case of the forged navy certificate, the committee are also satisfied that Captain Mullan acted in good faith. Such certificates were current in that country, and the forgery was so well executed that the most circumspect would have been deceived by it.

The committee, believing that in both instances he acted for the best interest of the government, and that the losses were sustained without any fault on his part, report a bill for his relief, and recommend that it pass.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 98.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 19, 1863.—Ordered to be printed.

Mr. POMEROY submitted the following

REPORT.

[To accompany bill S. No. 546.]

The Committee on Pensions, to whom was referred the petition of Margaret L. Stevens, widow of the late Brigadier General Isaac I. Stevens, praying a pension, report:

That General Stevens graduated at West Point with the highest honors of his class; that he served in the Mexican war, and was twice brevetted for gallant and meritorious conduct; that he was afterwards governor of Washington Territory, and performed valuable services in making treaties with the Indians, and in repressing the Indian wars; that after very efficient and valuable services from the commencement of the rebellion, he was killed at the battle of Chantilly on the first day of September, 1862, in the act of bearing the colors and successfully rallying the regiment in advance, thus preventing the enemy from cutting off the retreat of the army of the Potomac.

It further appears that he left his widow, with three young daughters, wholly unprovided for. In view of the necessities of his family, and that the limited pension provided by law will not make adequate provision for their support, and in consideration of the gallant and meritorious services of General Stevens, the committee think the petitioner should have the relief for which she asks, and they accordingly report the accompanying bill.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 99.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 19, 1863.—Ordered to be printed.

Mr. POMEROY submitted the following

REPORT.

[To accompany bill H. R. No. 726.]

The Committee on Pensions, to whom was referred the House bill granting a pension to Frances H. Plummer, widow of the late Brigadier General Joseph B. Plummer, of the United States army, report:

That it appears that General Plummer. was a graduate of West Point in the year 1841, served through the Mexican war, and was since on the frontier; that he was wounded at the battle of Wilson's Creek. Before he recovered from this wound he marched to Fredericktown, Missouri, and defeated Jeff. Thompson and Low, and after participating in nearly all the battles of the west, died near Corinth, on the 9th of August, 1861.

It appears that his widow and children are in destitute circumstances, and the pension allowed by law will be inadequate for their support. The committee, in view of the many distinguished services of General Plummer, and in view of the needy condition of his family, deprived of his support, report back the House bill, with a recommendation that it do pass.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 100.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. FOSTER made the following

REPORT.

[To accompany bill H. R. No. 725.]

The Committee on Pensions, to whom was referred the House bill for the relief of Elizabeth Housener, widow of Christian Housener, report:

That this case has been submitted to the Committee on Invalid Pensions of the House of Representatives, who made a report thereon, which report is hereto annexed, and adopted by this committee, to wit:

"That in September, A. D. 1861, at Tuscarawas county, Ohio, her husband, Christian Housener, volunteered and was duly mustered into the service of the United States as a private in company B, 51st regiment, Ohio volunteer infantry; that said Christian continued in the service aforesaid until the 22d day of September, A. D. 1862, when, by reason of disease by him contracted while in said service and in the line of his duty therein, he was discharged; and that in October, A. D. 1862, while on his return to his family, the said Christian was by accident thrown from a boat on the Ohio river, near Louisville, Kentucky, and drowned; that said Christian died, leaving the said Elizabeth, his widow, and two children in poverty; tha tthe said Elizabeth has no property or means of supporting herself or children save by her daily labor. The committee, therefore, recommend the passage of the accompanying bill for her relief."

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 101.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Pensions, submitted the following

REPORT.

The Committee on Pensions, to whom was referred the memorial of a committee appointed by a meeting of the citizens of Pittsburg, Pennsylvania, praying a pension for persons wounded and the heirs of those killed at the explosion of the Alleghany arsenal at Pittsburg, on the 17th day of September last, report:

That they have had said petition under consideration, but from the general nature of the allegations therein contained, and absence of any evidence as to the extent of relief required, the committee do not feel authorized to act upon the subject, and they therefore ask to be discharged from any further consideration of the memorial.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 102.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Pensions, submitted the following

REPORT.

The Committee on Pensions, to whom was referred the petition of officers of the army, praying that the mother of Major Theodore Talbot may be allowed a pension, report:

That the petition was presented before the act of July 14, 1862. The case would fall under the provisions of that act, and the committee understand that application has been made to the Commissioner of Pensions, and the papers are on file in the Pension Office. The committee therefore ask to be discharged from the further consideration of the petition.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 103.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. FOSTER, from the Committee on Pensions, submitted the following

REPORT.

The Committee on Pensions, to whom was referred the petition of Ellen M. Abert, widow of Colonel J. J. Abert, praying a pension, report:

That they are conscious of the many valuable services performed by the late Colonel Abert during his long service of forty-nine years, but the committee feel that, inasmuch as Colonel Abert did not die of disease contracted in the service or in the line of his duty, so as to bring him under the operation of the provision of the general law, they would not be justified in establishing a precedent for cases of the nature set forth in the petition. They therefore recommend that the prayer of the petitioner be not granted.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 104.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. POMEROY submitted the following

REPORT.

[To accompany bill S. No. 517.]

The Committee on Claims, to whom was referred Senate bill No. 517, "*making a reappropriation of money to pay for work done in the west wing of the Patent Office building,*" *report:*

By the act of March 3, 1857, (11 Stat., 224,) an appropriation of $50,000 was made "for preparing the saloon of the west wing of the Patent Office for the reception of models for patents, and for fitting up and furnishing the same with suitable cases." Of this sum, an unexpended balance of $10,000 was carried to the surplus fund. A contract was made with Mr. H. S. Davis for a portion of the work, payment to be made according to measurement. After the completion of the work, a misunderstanding arose in regard to the measurement. Mr. Davis received $11,876 35 under protest, reserving his rights of future adjustment. On an appeal to the Secretary of the Interior, he ordered a remeasurement of the work to be made by three practical mechanics, to be selected by the Commissioner of Patents.

The Commissioner, in his report to the Secretary, says: "The measurement was intrusted by me to Messrs. Angus, Downing, and Morsell, who were highly recommended for competency and honesty, and who were selected on my own motion. These gentlemen having been duly sworn, reported to me that, after a careful examination, and making the deductions by the contract, the amount due Mr. Davis was $17,596 39, making $5,720 04 more than had been paid him." For this latter sum the Secretary asked an appropriation, and it was included in the deficiency bill, (H. R. 617,) but it was stricken out in the Senate, on the ground that it was a private claim.

Upon a careful examination of the facts, the committee are satisfied that the amount is justly due, and report the bill reappropriating the money, to enable the Secretary to pay it, and recommend its passage.

37TH CONGRESS, 3d Session. } SENATE. { REP. COM No. 105.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1863.—Ordered to be printed.

Mr. POMEROY submitted the following

REPORT.

[To accompany joint resolution H. R. No. 84.]

The Committee on Claims, to whom was referred a joint resolution for the relief of the State of Wisconsin, having considered the same, ask leave to report:

By the "Act to enable the people of Wisconsin Territory to form a constitution," &c., approved August 6, 1846, Congress offered to the people of that State five per cent. of the net proceeds of the public lands within its limits, and certain other equivalents, in consideration that the State should adopt an ordinance such as was indicated by the act aforesaid.

The convention which framed the constitution of Wisconsin formally accepted that offer and framed the required ordinance, which the people of the State adopted.

Nevertheless, it seems the government has only paid a portion of that five per cent. fund. The balance remaining unpaid on the 31st of December, 1861, amounted, according to the statement of the Commissioner of the General Land Office, to $249,768 70.

The reason assigned for the non-payment of that balance is, that the government has a claim against the State of Wisconsin for the proceeds of certain lands granted to the Territory of Wisconsin to aid in the construction of a canal to connect the waters of Lake Michigan with those of Rock river.

The history of that claim is briefly as follows:

The Territory of Wisconsin was organized under an act of Congress approved April 20, 1836. Her legislature could pass no act without submitting it to the Congress of the United States, and if disapproved by Congress the act was null.

On the 18th of June, 1837, Congress passed an act providing for the construction of a canal between Lake Michigan and Rock river.

The United States owned the lands on the line of the proposed canal, and desired to sell them. They were offered to all the world at one dollar and twenty-five cents per acre, but had not been sold.

Congress believed the construction of the canal would double the value and quicken the sale of the lands.

For the purpose of building the canal Congress made the Lake Michigan and Rock River Canal Company its agent and the Territory of Wisconsin its trustee. But the Territory was a mere naked trustee, without any interest, vested or contingent. It never could derive any pecuniary advantage from the grant. It could only sell the lands, but the proceeds it was compelled to invest in the stock of the canal company.

The stock it could hold only as trustee either for the company or the public. All revenues derived from the stock it was compelled to invest in the purchase of stock held by private stockholders, and when the proceeds of the lands and the revenues of the canal should have defrayed the whole cost of construction, the work was to be thrown open to the public without other charge for its use than a sum sufficient to keep it in repair.

Thus it seems neither the Territory nor the State of Wisconsin could in any contingency derive any pecuniary advantage from the grant. They were the instrumentalities through which Congress undertook to provide a free canal for the use of the people of the United States, expecting, as it did, that the improvement of the public lands along the line of the canal would reimburse the cost of the work.

But the canal was not completed in ten years, and, it seems, never has been completed. Hence, it seems to have been thought the State of Wisconsin ought to pay for the lands granted in aid of it. The act making the grant did declare that in case the canal was not commenced within three years, and completed within ten years, from the date of the act, the United States should be entitled to receive back the money for which any of said lands might have been previously sold. And it further declares, the State of Wisconsin should be held responsible for the payment thereof. But the same act also declares that, "in order to render effectual the provisions of this act, the legislature of the State to be erected or admitted out of the territory, now comprised in Wisconsin Territory, east of the Mississippi, shall give their assent to the same by act to be duly passed."

Your committee do not understand that any such assent has ever been given on the part of the State, and they do not think it just or equitable to charge upon that State the whole loss consequent upon the failure to build the canal, and for these reasons:

Because the State never undertook to build the canal.

Because it never asked for a grant to aid the building of it.

Because it never could have derived any profit from the use of it.

Because it had no control over the company, which was specially charged by Congress with the duty of building the canal.

Because her judgment was never consulted, nor her assent asked to the project of building it.

Your committee also think it unjust and illegal to charge that loss upon the State, because, as before stated, Congress expressly enacted that the State should not be bound by the terms of the grant unless her assent was formally obtained; and because, whatever obligation might have devolved upon the State to complete the canal under the terms of the grant, yet those obligations were waived by Congress in

the act admitting Wisconsin into the Union. In that act Congress diverted so much of the grant as remained unsold from the construction of the canal, and disposed of it to the State of Wisconsin as a part of the five hundred thousand acres offered to that State in the act of August 6, 1846, hereinbefore referred to; and it does not seem right to divert the fund dedicated to the building of the canal, and still compel the State to complete the work.

Your committee are informed, by the Commissioner of the General Land Office, that the State has been charged with the whole quantity of land disposed of before the admission of the State into the Union, amounting to $125,431\frac{82}{100}$ acres, at two dollars and fifty cents per acre.

But your committee are clearly of the opinion, there is no just reason for charging more than one dollar and twenty-five cents per acre for those lands. That was the price at which the lands were offered to all the world at the time of the grant. Congress evidently supposed that the building of the canal would double their value; and so doubtless it would, but the canal was not built. The sole consideration for charging two dollars and fifty cents per acre thereby failed. Congress recognized the fact, and reduced the price of the reserved sections to one dollar and twenty-five cents per acre. Your committee can see no just reason for demanding of the State two dollars and twenty-five cents for the granted sections, and selling the reserve sections, lying right by their side, for half that price.

To insist upon that rule would enable the government to speculate out of the failure of its own agent. If the canal company had completed the canal, the government would have received two dollars and fifty cents for half the lands and nothing for the balance, which would be an average of one dollar and twenty-five cents for the whole. But if the State is made to pay the enhanced price by reason of the failure of the canal company to complete the work, then the government receives one dollar and twenty-five cents per acre for half the lands and twice that sum for the other half, which is an average of one dollar and eighty-seven and one-half cents for the whole.

Your committee are also of the opinion that the State should not be held accountable for so much of the proceeds of that grant as was paid over to the canal company by the Territory.

All such payments were made in pursuance of the express directions of Congress. They were in execution of the very purpose for which the grant was made. If the company misused those funds, it was in no sense the fault of the Territory, which did not select the beneficiary, and much less the fault of the State, which never saw the funds.

Your committee are also of the opinion that if any portions of such proceeds were disbursed to defray expenses of the territorial government, which, by law, were chargeable upon the treasury of the United States, the State should not be held accountable for such portion.

To *that* extent the United States, and not the State, have been the recipients of the grant; and the former, and not the latter, should

37TH CONGRESS, 3d Session. } SENATE. { REP. COM. No. 106.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 21, 1863.—Ordered to be printed.

Mr. NESMITH made the following

REPORT.

[To accompany bill S. No. 553.]

The Committee on Military Affairs and the Militia, to whom was referred the memorial of Brigadier General James H. Carlton, United States army, having had the same under consideration, report:

The children of the memorialist owned twelve houses and seven corrals at Albuquerque, New Mexico, which were rented to the United States for military purposes, and were occupied as shops, stables, storehouses, hospitals, &c., up to the 2d of March, 1862, upon which day they were, by competent authority, destroyed by fire, "to prevent the public property stored in them from falling into the hands of the rebel enemy."

The certificate of Captain Enos, assistant quartermaster, shows that the property was destroyed by his order, in obedience to the command of Brigadier General Canby, and a board of survey convened on the 10th of September, 1862, assessed the damages to the property at $7,600, and this valuation was approved by the commanding officer of the post.

The committee, fully satisfied that the government, by its proper officers, destroyed this rented property for prudential reasons, report a bill for the relief of Eva, Etta, Henry, and Guy Carlton, and recommend that it pass.

37TH CONGRESS, 3d Session. | SENATE. | REP. COM. No. 107.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 25, 1863.—Ordered to be printed.

Mr. SUMNER made the following

REPORT.

[To accompany bill H. R. No. 622.]

The Committee on Foreign Relations, to whom was referred House bill No. 622, *for the relief of Francis Dainese, with accompanying papers, praying compensation for judicial services performed by him while consul at Constantinople, under the act approved August* 11, 1848, *have had the same under consideration, and now report:*

That this case has been for many years before Congress; that the Committee on Foreign Affairs in the House of Representatives having considered it and decided in its favor, offered an amendment to the deficiency bill on the 8th of February, 1854, which was adopted, in Committee of the Whole and in the House, but this amendment dropped with the bill, which failed in the Senate; that subsequently the same amendment was attached to the civil and diplomatic bill in the House of Representatives, but was struck off in the Senate; that two reports in favor of the claim were made by the Committee on Foreign Affairs in the House of Representatives, one by Mr. Chandler, of Pennsylvania, and the other by Mr. Burlingame, of Massachusetts, and that during the present session another report in favor of it has been made by the same committee.

It appears from the records and files of the Department of State, that the claimant was the recognized incumbent of the United States consulate at Constantinople, from the 16th of May, 1849, to the 20th of December, 1852. The present claim is for compensation during this period, on account of alleged judicial services under the statute of 1848. In order to determine the validity of this claim, it will be necessary to consider carefully the statute under which it is made. The differences of opinion seem to have arisen from inattention to this statute.

The statute is entitled "An act to carry into effect certain provisions in the treaties between the United States and China, and the Ottoman Porte, giving certain judicial powers to ministers and consuls of the United States in those countries," and was approved August 11, 1848.—(9 Statutes at Large, 276–'80.) By the first section, the commissioner and consuls of the United States, appointed to reside in China, are vested with judicial authority. In subsequent sections (making seventeen in all) this jurisdiction is declared and defined, both in criminal and civil affairs. The commissioner, in addition to his power to make regulations and decrees, "is authorized to hear and decide *all cases, criminal and civil*, which may come before

him under the provisions of this act, and to issue all processes necessary to execute the power conferred upon him. And he is *hereby fully empowered to decide finally any case* upon the evidence which comes up with it, or to hear the parties further, if he thinks justice will be promoted thereby; and he may also prescribe the rules upon which new trials may be granted, either by the consuls or by himself, if asked for upon justifiable grounds."—(Sec. 13.) The commissioner is further authorized "to establish a tariff of fees for judicial services, which shall be paid by such parties and to such persons, as the said commissioner shall direct."—(Sec. 17.)

After declaring and defining the judicial duties of the commissioner in China and the consuls there, the statute proceeds to fix the compensation in addition to salary, as follows: "That *in consideration of the duties herein imposed* upon the commissioner, there shall be paid to him, out of the treasury of the United States, annually, the sum of one thousand dollars in addition to his salary; and there shall also be paid, annually, to each of said consuls, *for a like reason*, the sum of one thousand dollars in addition to consular fees."—(Sec. 18.)

It will be observed that the statute thus far is exclusively applicable to the commissioner and consuls in China. Nothing is said about Turkey, and the compensation is "in consideration of the duties herein imposed." At last we have the following section, by which certain duties, different from those already mentioned, are conferred upon the minister and consuls of the United States in the ports of Turkey:

"*And be it further enacted*, That the provisions of this act, *so far as the same relate to crimes committed by citizens of the United States*, shall extend to Turkey, under the treaty with the Sublime Porte of May seventh, eighteen hundred and thirty, and shall be executed in the dominions of the Sublime Porte, in conformity with the provisions of said treaty, by the minister of the United States, and the consuls appointed by the United States to reside therein, who are hereby, *ex officio*, vested with the powers herein contained for the purposes above expressed, so far as regards the punishment of crime."—(Sec. 22.)

On looking carefully at this section, two things will be observed: first, that the duties of the minister and consuls in Turkey are restrained to *cases of crimes;* and, secondly, that nothing is said with regard to any compensation in addition to salary. Had the same large judicial duties, embracing civil as well as criminal cases, which had been conferred upon the commissioner and consuls in China, been also conferred upon the minister and consuls in Turkey, it might have been reasonable to allow the latter officers the same compensation which is allowed to the former. From the equality of services, it might then have been argued that there should be an equality of compensation. But it is obvious on the face of the statute that there is no such equality of service. The two cases differ essentially. It was probably on the ground of this difference that the statute made an essential difference with regard to the compensation. In the one case, compensation is expressly allowed; in the other case, nothing is said on the subject.

The conclusion is clear that, according to the statute, certain limited

services are required of the minister and consuls in Turkey, for which no compensation is provided in addition to salary. There is not a word in the statute to sanction any such compensation.

This interpretation of the statute is in harmony with the opinions of the department whenever the question has been presented. Without stopping to adduce the opinions of Mr. Marcy and Mr. Cass, communicated to committees of Congress, it will be enough to quote the language of Mr. Seward, in a letter bearing date February 23, 1863, addressed to the chairman of the Committee on Foreign Relations, with reference to the present case, as follows:

"It has never been the opinion of the head of this department that the law authorized any special compensation, other than their respective salaries or fees, to the commissioner or minister in Turkey, or to our consular officers in that country or its dependencies, for any services which they might be required to perform under the provisions of the 22d, 23d, and 24th sections of the act of August 11, 1848."

There are, however, two precedents of allowances by Congress in cases asserted to be similar to the present. The first is the case of D. S. Carr, minister at Constantinople, who is said to have been paid for similar services rendered in the same kingdom, and about the same time. But a careful consideration of this case takes from it all character as a precedent. It appears that Mr. Carr, on his return from Turkey, in his accounts against the government, made a claim for judicial services; but this item, with others, was rejected at the Treasury Department, as not allowed by law. But at last an amendment was fastened upon the civil and diplomatic bill, at the first session of the 32d Congress, which, it is asserted, covered the claim for judicial services. There is nothing in the language of the amendment as it finally passed which could give a hint of any such claim. It is as follows: "To compensate Dabney S. Carr, *for expenses incurred* while in the diplomatic service of the country, to be allowed in the settlement of his accounts with the government, seven thousand one hundred and forty-four dollars."—(10 Statutes atLarge, 89.) It is difficult to see how an appropriation in such general terms for *expenses incurred* can be made a precedent for an appropriation on account of alleged *services*. But the claim of Mr. Carr was on account of expenses, part of which were incurred anterior to the statute of 1848, so that if it be recognized as a precedent, it must authorize an allowance of compensation for judicial services anterior to the statute, as far back as the treaty with Turkey in 1830, under which these judicial duties were first established.

The other precedent is that of D. S. McCauley, consul general at Alexandria, a port within the territorial limits of the Turkish empire, whose widow, after his death, was paid four thousand two hundred and sixty dollars for judicial services under the statutes of 1848.—(11 Statutes at Large, 567.) The bill for this payment originated in the Senate; but when it is considered that it was in favor of a widow, its value as a precedent will not be such as to establish a rule for the Senate in all subsequent cases. It must be classed as a widow's bill.

The two precedents adduced in favor of the claim may be disregarded; at least so as to leave the question open to the judgment of the Senate.

If there were any doubt as to the meaning of the statute, from an examination of its text, that doubt would be removed by a consideration of the consequences which would ensue from the interpretation which is given to it by the claimant. If his claim is valid, then will all other consuls in the ports of Turkey, at least from the date of the statute of 1848, if not from the date of the treaty with Turkey in 1830, be entitled to the same allowance. By the statute it is provided that "the word consul shall be understood to mean any person vested by the United States with and exercising the consular authority in any of the five ports in China named in the treaty, *or in any port in Turkey.*" It is impossible, of course, to make any discrimination between the consuls at these "ports." What is just for one is just for all; nor can the allowance be limited in time. It must be made to our consuls at all these ports, and for all the time since the statute, if not since the treaty itself. Smyrna, Beirut, Candia, Cyprus, Alexandria, Tripoli, and Tunis, cannot in this respect be distinguished from Constantinople; nor can the present claimant be entitled to more consideration than his successors in office. Jerusalem, though a city of Turkey, is not a "port;" but there are vice-consuls or consular agents at Jaffa, Acre, Dardanelles, Trebezone, Rhodes, Gallapolis, all "ports" of Turkey. It is obvious that the payment of this claim would open the treasury to other claims having the same foundation, whose sum total must be reckoned at many thousand dollars.

If the claim had been presented on the ground of services actually rendered, the case might have a different aspect. The evidence of such services might be urged to justify an appropriation according to the value of such services—*quantum meruit;* although it is difficult to see how any such services could be regarded as other than what the claimant was obliged to render in the discharge of his consular duties. But it does not appear from any of the papers in the case that any judicial duties were actually performed by the claimant, whose case is rested exclusively on the statute, which, it is assumed, allows this additional compensation, even if no judicial duties have actually been performed. Mr. Seward, in his letter to the chairman of the committee, dated February 23, 1863, says that there is no evidence at the Department of State that these judicial services were actually performed by the claimant. His language is as follows:

"The judicial services which these officers have been required to perform, certainly until a comparatively recent period, have been of rare occurrence; *and there is nothing upon the records or files of the department*, as it is believed, to show that Mr. Dainese was ever called upon 'to execute any of the provisions of the act so far as the same relate to crimes committed by citizens of the United States in Turkey.'"

After careful consideration of the case, the committee are constrained to report the House bill back to the Senate, with the recommendation that it do not pass.

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